

CITY OF YORKTON
REGULAR COUNCIL MEETING AGENDA
Monday, July 8, 2024 - 5:00 p.m.
Council Chambers, City Hall

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **PUBLIC ACKNOWLEDGEMENTS**
4. **APPROVAL OF MINUTES**
 - a. Regular Council Meeting Minutes – June 17, 2024
5. **UNFINISHED BUSINESS**
6. **REPORTS OF COUNCIL COMMITTEES AND MATTERS REFERRED**
 - a. Recreation and Community Services Committee Meeting Minutes – March 19, 2024
7. **HEARING OF PETITIONS, PUBLIC NOTICES AND PRESENTATIONS**
 - a. Chad and Rachel Gregoire – Presentation – Request to Own Hens Within City Limits
8. **BUSINESS ARISING OUT OF PETITIONS, PUBLIC NOTICES AND PRESENTATIONS**
 - a. Bylaw & Safety Supervisor
 - Memo re: Urban Chickens
9. **CORRESPONDENCE**
10. **BYLAWS**
11. **ADMINISTRATIVE REPORTS**
 - a. Director of Recreation and Community Services
 - Kinsmen Arena Upgrade Tender
 - b. Director of Legislation & Procedures (City Clerk)
 - Election 2024
12. **GIVING NOTICE OF MOTION**
13. **IN CAMERA SESSION**
 - a. Property Item A
 - b. Other Item A
 - c. Budgetary Item A
14. **ADJOURNMENT**

MINUTES **MARCH 19, 2024** **5:00 P.M.** **CITY OPERATIONS CENTRE BOARD ROOM**

Attendees	Chairperson: Delmar Zwirsky, Councillor Randy Goulden, Anne Stupak, CV Sastry, Gurjit Dhaliwal
Regrets	Councillor Ken Chyz, Doug Wilkinson, Ryan Cox
Staff	Taylor Morrison, Lisa Washington, Jessica Resler
Recording	Ashton Kingdon
Call to order	5:15 p.m.
Adjourn	6:23 p.m.

Agenda topics

1. CALL TO ORDER

2. ADOPTION OF AGENDA

Motion 24-003	Anne Stupak That the agenda be adopted as presented. CARRIED.
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3. MINUTES OF PREVIOUS MEETINGS

a. Minutes of the February 5, 2024 Meeting

Minutes from the February 5, 2024 meeting of the committee were circulated.

Motion 24-004	CV Sastry That the minutes of the February 5, 2024 meeting of the Recreation and Community Services Committee be approved as circulated. CARRIED.
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4. NEW BUSINESS

Nothing at this time.

5. BUSINESS ARISING

Nothing at this time.

6. SASKATCHEWAN LOTTERIES COMMUNITY GRANT PROGRAM ADJUDICATION

Randy Goulden declared a conflict of interest with the Yorkton Film Festival and left during that portion of the discussion (6:01 p.m. – 6:03 p.m.).

SIGN, SIGN Early Learning Centre and Yorkton RCMP submitted applications that did not qualify based on the guidelines and Administration did not bring them forward to the adjudication meeting. Western Development Museum is ineligible for funding due to the provincial WDM organization already receiving provincial funding from the lottery program. This was confirmed from SK Lotteries directly after Administration had developed the meeting package. Administration informed the Committee on WDM’s status prior to starting adjudications.

After lengthy discussion, the June Days Committee YBID was deemed ineligible based on the Sask Lottery guidelines. Last year the Committee approved the application even though it did not align with the guidelines and informed the group that they would have to apply differently next year to receive funding. As the 2024 application was not submitted as advised, the Committee decided to not jeopardize the funding from SK Lotteries by approving an ineligible grant application.

The Committee reviewed the applications and recommended funding for the following groups for the March 2024 intake of the Saskatchewan Lotteries Community Grant Program.

Motion 24-005	Gurjit Dhaliwal	
	That the following list of applicants to the March 2024 intake of the Saskatchewan Lotteries Community Grant Program be approved at the corresponding allocation, for a total of \$69,487.50.	
	Group	Approved
	2834-64 th Field Battery Army Cadets	\$ 750.00
	BGC Yorkton	\$ 5,000.00
	June Days Committee YBID	\$ 0.00
	Parkland Filipino-Canadian Association	\$ 4,650.00
	Raider Gridder Alumni Football	\$ 3,000.00
	Sask Abilities	\$ 4,900.00
	Springers Gymnastics	\$ 5,000.00
	Western Development Museum – Yorkton	\$ 0.00
	Yorkton Film Festival	\$ 5,000.00
	York Lake Golf and Country Club	\$ 5,000.00
	Yorkton Arts Council	\$ 5,000.00
	Yorkton Canoe Kayak Club	\$ 5,000.00
	Yorkton Curling Club	\$ 4,800.00
	Yorkton Pirates Tennis Club	\$ 2,000.00
	Yorkton Public Library	\$ 5,000.00
Yorkton Rowing Club	\$ 5,000.00	
Yorkton Scouts	\$ 4,387.50	
Yorkton United FC	\$ 5,000.00	
	\$ 69,487.50	
CARRIED.		

7. NEXT MEETING

June to work on the Community Grant Guidelines and Policy

8. ADJOURNMENT

Motion 24-006	Anne Stupak That the Recreation and Community Services Committee Meeting be adjourned at 6:23 p.m. CARRIED.
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Delmar Zwirsky

Ashton Kingdon

Chairperson

Recording

***All redactions done are pursuant to Section 23 of LAFOIPP**

From: arandad@redfoxregroup.ca
To: Aranda Dietz
Subject: New Response Completed for Request to Appear Before Council Form
Date: Tuesday, June 25, 2024 1:38:00 PM

CAUTION: External Email

Hello,

Please note the following response to Request to Appear Before Council Form has been submitted at Tuesday June 25th 2024 1:36 PM with reference number 2024-06-25-011.

- **First name:**
Rachel
- **Last Name:**
Gregoire
- **Address:**
[REDACTED]
- **City:**
Yorkton
- **Province:**
Saskatchewan
- **Postal code:**
[REDACTED]
- **Name:**
Rachel Gregoire
- **Title:**
Mrs.
- **Daytime phone number:**
[REDACTED]
- **Email:**
[REDACTED]
- **Date of request:**
7/8/2024
- **Date of council meeting that the presenter is wishing to attend:**
7/8/2024
- **Topic being presented:**
Backyard Hens Permission Request
- **Description of request: (Clearly state what is being asked of Council. Provide detailed information about why the information is being presented and the importance to the community)**
Requesting Permission for chickens (backyard laying hens) as per the amendment to animal control bylaw in 2022 stating with exception of written permission from council.
As attached

[This is an automated email notification -- please do not respond]

Good evening,

My name is Rachel Gregoire and my husband Chad and I have been residents of Yorkton for nearly 12 years and together with our 3 children we are formally requesting permission to keep a small flock of laying hens in our backyard within city limits. Section 48 (1) of the Animal Control Bylaw states that it is unlawful to keep live poultry within the boundaries of our city. The bylaw was amended to 2022 to include the exception of "upon receiving written approval from the council or city manager" and that is why I am here today.

Across Canada there are many large urban centers that allow backyard flocks for their residents including Red Deer, Edmonton, Vancouver and Niagara Falls. I was legitimately surprised to learn that Saskatchewan and Manitoba are the only provinces in Canada that do not allow urban backyard flocks. Given we are an agriculture focused province and a small city that serves the farm families in our area, this is highly ironic in my opinion that we do not allow hens. If Yorkton is truly open for business and progressive, it's time to consider that hens are part of a diverse and changing urban landscape that makes accommodations and acceptance for citizens who are invested in food sovereignty and want the most local food around- from our own yards!

In discussing the idea of owning our own tiny flock, we learned from friends and coworkers that city council has heard about chickens before, in 2011 and in 2013. However, a lot has changed in the last 10 years and I'm excited to see our city on that list of the goggle search "cities that allow backyard hens." We can beat Manitoba in this and even Regina in boldly saying yes to the rhythmic clucking mid-day in some of our yards. As you maybe are aware, permaculture and backyard homesteading is gaining popularity and as such there are a few driving forces around this movement. Backyard hens align with the urban homesteader because while we can grow our own apples, shallots and watermelon, protein sources are harder to come by.

I recognize that a good manager has to have good math to make good decisions so let's begin looking at some numbers. All cities have to create systems and initiatives to deal with the garbage we all create. The National Zero Waste Council indicated in 2022 that on average a family throws away 140kgs of food each year, working out to about 6 cups a week. Chickens are omnivores meaning they will eat nearly everything! One chicken will eat 1.5 pounds of food per week; they would eat the ticks in the run, the dandelions I pull from my lawn, the watermelon my daughter didn't finish, the sad bag of coleslaw dying in the fridge, the forgotten cheese sticks in a lunch kit from school. You get the idea- chickens are the ultimate waste management system at a household level. In turn, we would receive an ethically free source of protein for our family on our property.

The most common concerns people question about backyard flocks are noise, smell and the waste. Chickens cluck, most commonly after laying an egg. Roosters do not make good city citizens for obvious reasons and no city dweller, including me, wants one. Hens are quieter than barking dogs and much quieter than my 3 children on the trampoline. Laying hens at their loudest have about the same decibel level as human conversations, which is 60-70 decibels. Can you hear your neighbor's in conversations on their deck next door? If all is peaceful, likely not.

The next concern people have; The smell of coop! I remember the smell of my Baba's coop; the 150 chickens in a small barn where the ammonia was so strong it burned my nose and made my eyes water. Perhaps Baba was in fact, neglecting the coop cleaning and maintenance

because she had a hoard of grandchildren and other animals to feed and bread to bake. The experience of other cities is that urban chicken owners are good neighbors, cleaning regularly and using sawdust, diatomaceous earth and regular maintenance to keep smells at bay. I have approached my neighbors, Cal and Heather Campbell and Ryon and Megan Lemkce are our neighbors, and they are in support of our family starting a flock.

Next, the manure concern. A typical hen weighing four pounds will produce 4 ounces of waste per day; ½ cup. For comparison, a dog who eats 2 cups of food per day, will likely produce 16 ounces of feces per day, 2 cups. Previously we owned two larger dogs, creating over 1 liter of waste per day to our OSS black bin! Having a small flock in a coop against the back alley is going to be a breeze, like owning one small dog! Also, with dog and cat manure it is advised to not use it in composting for garden/lawns however, chicken poo is highly recommended for “black gold” because it puts nutrients back into the soil after being composted for 5-6 weeks.

Some of our fellow citizens are advocating for a new soccer center or want Yorkton to build an outdoor pool. Others want traffic lights erected and property taxes to never increase. As for my family and I, we want the chickens! The 5 small birds to eat our food and kitchen waste, gobble up the ticks, creating eggs for my sons to devour after football and soccer and the poo will promote a robust compost that will do amazing things for my asparagus bed and the peonys.

Thank you for taking time to consider this request and I look forward to your positive response after answering any and all questions you have about urban chickens and our families personal plans for a coop and run.



MEMO

DATE: July 3, 2024
TO: City Council
FROM: Nicole Baptist, Bylaw & Safety Supervisor
RE: Urban Chickens

Summary:

Although this is certainly not an in-depth review of urban chickens and much of the information included is from previous Animal Control Bylaw reviews, this will hopefully provide some additional information to consider when discussing urban chickens in Yorkton.

1. The majority of municipalities in Saskatchewan do not permit chickens in the community. I understand that in larger centers such as Calgary, Vancouver, Toronto, etc. they do allow chickens, but their landscape is also much different from ours.
2. We have a lot of wildlife that come into the community due to our size. Foxes, skunks, coyotes, etc. are all attracted to chickens/chicken coups and we already struggle to deal with these wild animals in the community.
3. There have been a handful of cases where chickens were kept in the community and we typically find out due to a complaint about it. For a complaint to be filed the chickens are likely either stinky, loud, or attracting other wildlife such as skunks to the area.
4. We are already strapped for resources with what the Bylaw Division is currently dealing with. If we permit chickens that will likely lead to additional complaints that have to be tended to by the Bylaw Enforcement Officers/CSO's. We may need to provide additional training to Officers for catching chickens if they get out.
5. Raising chickens is significantly less money than beekeeping for example. If people are neglectful beekeepers, their hive will die off. Whereas, when people are neglectful of their chickens, it will lead to complaints due to smell, noise, etc. And again, if their chicken flock dies off, it's much cheaper to replace than bees.
6. The flipside, which I think is important to acknowledge too – it's a really neat learning experience for kids/families – it's something easy for them to take part in and a great way to bring farm life into an urban setting. Eggs have gone up in price significantly so it does provide that food source at a reasonable price, which is important. Raising your own food is likely a healthier alternative than buying from a grocery store.

Administration can acknowledge the benefits, but it is my opinion that the negatives outweigh the benefits. Administration would not recommend that we move forward with urban chickens in Yorkton. This was also discussed and reviewed at the last Bylaw Amendment in May 2022.

Section 48(1) of the Animal Control Bylaw prohibits live poultry within City limits, but there is an exception under 48(1)(c) that allows the option for Council or the City Manager to give permission to permit live poultry, birds in the Columbidae family, and/or livestock. Although the Bylaw does allow permission to be granted on an individual basis, Administration believes that this is not the intent of the Bylaw. Administration believes this clause is included to give permission for things such as a petting zoo being set up in City Centre Park, for example. Granting permission to this request as a one-off scenario is an option, but it may open the City up to further requests.

Options for Council are as follows:

1. Deny the request for harbouring chickens per the reasons listed in the memo (or otherwise by Council).
2. Refer this request to Administration for an in-depth review, and report back to Council. (A reasonable time frame given other priorities for this department is not until winter/spring)
3. Approve the request for harbouring urban chickens at this particular residence as a pilot ending September 1, 2025, on the condition that an agreement between the property owner and the city with specifications on responsible management of urban chickens be prepared and executed.
4. Approve the request for harbouring urban chickens in permanence at this residence on the condition that an agreement between the property owner and the city with specifications on responsible management of urban chickens be prepared and executed.

TITLE: Kinsmen Arena Ice Systems Upgrades Tender Award	DATE OF MEETING: July 8, 2024
	REPORT DATE: July 3, 2024 4:41 PM
CLEARANCES: Ashley Stradeski, Director of Finance <p style="text-align: center; color: red;">Ashley Stradeski</p>	ATTACHMENTS: 1. Kinsmen Arena Ice Systems Upgrades Tender Award Summary
Written by: Taylor Morrison, Director of Recreation & Community Services <p style="text-align: center; color: red;">Taylor Morrison</p>	
Reviewed by: Jessica Matsalla, City Clerk <p style="text-align: center; color: red;">Jessica Matsalla</p>	
Approved by: Brad Hvidston, City Manager <p style="text-align: center; color: red;">Brad Hvidston</p>	

PURPOSE/BACKGROUND

At the November 15, 2021 Council meeting, Council was presented a report on the condition of both the Kinsmen Arena and Westland Arena ice systems, in which both needed significant improvements. Council passed a resolution indicating *“that a decision be deferred to the 2022 budget process, where Administration would provide funding options and scenarios for Council consideration as part of the 2022 budget process.”*

The 2022 and 2023 capital budget included two ice system projects:

1. Westland Arena Ice Plant Upgrades - \$1,085,000.00
 This project started in 2022 and was completed in 2023 and included removing and installing new compressors, relocating access into the plant room to meet building and refrigeration safety codes, a new emergency relief stack, and replacement of various pumps, motors, and other system controls.

2. Kinsmen Arena Ice Systems Upgrades - \$2,775,000.00 initial budget; \$3,500,00.00 revised
 This project started in 2023 with community and user group engagement, with construction slated to begin January 2025 and be completed by September 2025, pending Council direction on the project. Project components include replacement of the arena slab, all refrigeration piping, rink boards, and glass, code and ice plant upgrades, and dehumidification.

As construction and project costs continue to rise, and after reviewing similar projects that had recently been completed, Administration proposed an increase to the Kinsmen Arena project in the 2024 capital budget. An additional \$725,000.00 from the 2025 capital budget was approved giving a total project budget of \$3,500,000.00.

DISCUSSION/ANALYSIS/IMPACT

Tender drawings were completed by Alton Tangedal Architect LTD, who led a team of structural, mechanical, electrical, refrigeration, and geotechnical engineers.

On May 31, 2024 the Invitation to Tender for the Kinsmen Arena Ice Systems Upgrades project was published on the City’s eBidding platform, Biddingo, as well as SaskTenders, for a tender period of three weeks and with a closing date of June 20, 2024, which was extended to June 25, 2024. A mandatory contractor site visit occurred on June 6, 2024, allowing proponents to review the site and ask for clarification from the engineers, if required.

Three bids were received. A summary of the bids are as follows:

Bidder	Total Bid	PST	GST	Total Payable
Hipperson Construction Company Ltd.	\$4,407,745.01	\$262,664.70	\$218,887.25	\$4,889,296.96
NL Construction Inc.	\$4,824,110.00	\$289,446.60	\$241,205.50	\$5,354,762.10
PCL Construction Management Inc.	\$3,703,411.00	\$222,204.66	\$185,170.55	\$4,110,786.21

The above pricing includes a \$30,000 cash allowance for hazardous material testing and abatement.

All three bids were complete, and the bid from PCL Construction Management Inc. was deemed to be the best value as it was the lowest submitted bid.

FINANCIAL IMPLICATIONS

Total project budget for the Kinsmen Arena project is \$3,500,000.00. To get this project through the tender phase (January 2023 to date), costs have been ongoing to provide consulting work, tender and engineered drawings, geotechnical studies, etc. The summary of costs to date are as follows:

Item	Price (including PST)
Architectural Services Costs	\$199,629.00
Refrigeration System Costs	\$9,078.26
Slab Repairs (after geotechnical boring)	\$5,830.00
Materials Testing	\$1,024.60
Total Costs to Date	\$215,561.86

This leaves a budget of \$3,284,438.14 remaining for the project.

To provide the approved scope of work for this project based on the lowest bid received, the existing budget of \$3,500,000.00 will need to be revised to \$4,308,015.00. The main reason for this increase is due to the rising costs of construction, allowance for contingency now that project bids have been received, and costs related to project insurance. A summary of costing is as follows:

Item	Cost	PST	Contingency	Estimated Total Costs
Project Construction	\$3,703,411.00	\$222,204.66	\$340,000.00	\$4,265,615.66
Project Insurance	\$40,000.00	\$2,400.00	N/A	\$42,400.00
Total Costs				\$4,308,015.66

After factoring in the costs of work completed to date, project construction, contingency, and insurance costs, the overall project budget breakdown is as follows:

Project Budget	\$3,500,000.00
<u>Expenses:</u>	
Spent to Date	(\$215,561.86)
Lowest Bid	(\$3,925,615.66)
Contingency	(\$340,000.00) *only spent if required
Project Insurance	(\$42,400.00)
Total Expenses	(\$4,308,015.66)
Project Overage	(\$808,015.66)
	(\$468,015.66) if no contingency is used

As the Deer Park Clubhouse, Westland Arena Ice System, and Kinsmen Arena Ice System projects are internally funded by the Recreation Levy over the next several years, an increase to the Kinsmen Arena project would require an additional one year’s use of the Recreation Levy to pay off all three projects. If the revised budget for the Kinsmen project is approved, the Recreation Levy would be allocated through 2030, becoming available for the 2031 budget cycle. The annual Recreation Levy amounts to approximately \$1.15 million dollars.

Alternatively, once a contractor has been selected, Administration could work with the contractor to revise the scope of work to reduce the budget. For example, this could include removing cosmetic features such as sandblasting and painting steel structures, sound system upgrades, and the reuse of protective netting.

COMMUNICATION PLAN/PUBLIC NOTICE

All bidders will receive notice of the successful bidder and bid amount. Also, the identity of the successful bidder along with the total bid amount will be posted on the Biddingo platform and on SaskTenders.

A project update will also be shared on the project’s Shape Your City page, <https://shapeyourcity.yorkton.ca/kinsmen-arena-ice-systems-upgrades>, and provided to user groups directly.

Planning for the 2024-2025 arena ice season took into consideration that the Kinsmen Arena would be under construction and unavailable from January through August 2025. Ice schedules, tournament planning, and regular season home games have been coordinated around this adjustment. Should the project not proceed, the Kinsmen Arena would remain available for the duration of the 2024-2025 season with ice being available as it would normally be.

STRATEGIC PRIORITIES/OCP/COMMITTEE RECOMMENDATION(S)

Completing the Kinsmen Arena Ice System Upgrades project is supported by the Infrastructure and Community Development goals of the Official Community Plan. The project is further supported by Yorkton Kinsmen Arena Facility and Assessment Feasibility Study (2019), and the Parks & Recreation Master Plan (2023) which identified upgrades to the facility as essential to the continued use and support of ice programming within the community.

OPTIONS

1. That Council direct Administration to proceed with the Kinsmen Arena Ice Systems Upgrades project with a revised total budget of \$4,308,015.00 to be funded by the Recreation Levy, and award the tender for the project to PCL Construction Management Inc. for \$3,703,411.00, plus applicable taxes, and further authorize the Mayor and City Clerk to execute the contract.
2. That Council direct Administration to proceed with issuing an 'Intent to Award' Notice to PCL Construction for the Kinsmen Arena Ice Systems Upgrades Project and further that Administration and PCL Construction explore options to reduce the scope of work resulting in lower project budget and report back to Council.
3. That Council direct Administration to not award the contract for the Kinsmen Arena Ice Systems Upgrades Project at this time due to budget constraints.
4. That Council provide other direction.

ADMINISTRATIVE RECOMMENDATION(S)

None – As directed by Council.

Tender Summary



Tender Name: Kinsmen Arena Ice Systems Upgrades

Closing Date/Time: June 25, 2024 at 2:00pm cst

Present at Opening: Trevor, Taylor, Marlene, Bob, Jeff

Bidders – Company Name:	PCL Construction Inc.	Hipperson Construction	N.L. Construction Inc.		
<i>Tender Submission Received (Date & Time)</i>	Yes	Yes	Yes		
<i>Signed Bid Form</i>	Yes	Yes	Yes		
<i>Addendum acknowledgement Addendum(s)</i>	Yes	Yes	Yes		
<i>Contractor's Qualification Statement CCDC 11 (2019)</i>	Yes	Yes	Yes		
<i>Bid Bond – CCDC - 220</i>	Yes	Yes	Yes		
<i>Consent of Surety</i>	Yes	Yes	Yes		
<i>Weeks to finish</i>	55	55.5	63		
<i>Letter of Insurance</i>	Yes	Yes	Yes		
<i>Sask WCB Letter of Good Standing</i>	Yes	Yes	Yes		
<i>COR certification or other recognized safety program</i>	Yes	Yes	Yes		
<i>Total Bid (including pst and gst)</i>	\$ 3,703,411.00	\$ 4,382,462.25 \$4,407,745.01	\$ 4,824,110.00	\$	\$

TITLE: Municipal and School Board Election 2024	DATE OF MEETING: July 8, 2024
	REPORT DATE: June 25, 2024
CLEARANCES:	ATTACHMENTS: <ol style="list-style-type: none"> 1. Summary of 2024 LGEA amendments 2. General Election Bylaw No. 10/2020 3. Proposed Election Official remuneration rates 2024 4. Polling Locations 2016 Map
Written by: Jessica Matsalla, City Clerk <p style="text-align: center;">Jessica Matsalla</p>	
Approved by: Brad Hvidston, City Manager <p style="text-align: center;">Brad Hvidston</p>	

PURPOSE/BACKGROUND

The purpose of this report is to consider and approve the various requirements and processes to conduct the 2024 Municipal and In-City School Board Elections scheduled for Wednesday, November 13, 2024.

For ease of reference, in relation to this report, *the Local Government Election Act, 2015* will be referred to as the LGEA, the Good Spirit School Division No. 204 will be referred to as GSSD, and the Christ the Teacher Catholic School Division No. 212 will be referred to as CTTCS.

The LGEA saw a number of amendments recently in effect as of January 1, 2024 (Attachment 1). This report will be divided into a section for items under Council’s discretionary authority where direction is needed, and a section to outline information which is the responsibility of the Returning Officer. Many items are already addressed in the existing Election Bylaw No. 10/2020 – Attachment 2, but it is valuable to review lest there be desire for amendments.

Items for Council Direction:

- 1) Election Official Remuneration
City Council is required by the LGEA to set the remuneration to be paid to Election Officials (workers); and pay the municipality’s share of the costs incurred in holding the election. Attachment 3 of this report proposes the rates at which election officials be paid in Yorkton for 2024. In efforts of cost saving, the City will endeavor to use city staff who have expressed an interest, to appoint as election officials to support election operations where possible during office hours, and banking lieu time as remuneration if outside of their regular hours. In consultation with our Finance Director, hours that city staff work the election will still be billed out to school boards, and coded as an election expense at the rate set by Council. In the past, city staff have worked the election, and we have seen a positive impact including increased understanding and appreciation of this democratic

process and gives us an opportunity to focus and exhibit our core values of equality and respect, openness, integrity, teamwork, and quality. Another benefit is existing accessibility and relationships with colleagues. I would anticipate the majority of use for city staff would be for the Mail-In Ballot, Advance Poll and Special/Mobile Polls which are more “ongoing” during election season.

Rates for election official remuneration rates in cities in Saskatchewan have been assessed, along with worker rates for the provincial and federal elections. In 2020, rates were increased slightly (i.e. \$21.30-\$22/hour). Both School divisions’ Chief Financial Officers have been contacted and agreed to cost sharing the election appropriately. Based on those discussions it is also anticipated that the School Boards appoint the City's RO for the municipal election as the Associate RO for the In-City School board elections.

It is important that we are able to attract workers with competency and stamina, as a 13-hour day with no breaks can get long. With the Provincial election occurring just two weeks prior (October 28, 2024), we would like to be able to ensure we have workers, and therefore should have comparable remuneration. Paying workers is one of our largest expenses for the election: \$14,716 in 2020 (with cleaners and additional Advance Polls) and \$12,800 in 2016. It would seem as though that by adjusting rates by \$1 per hour above the rates set in 2020, we would remain competitive and comparable to what the federal and provincial elections, and other cities in Saskatchewan are compensating their workers for – see Attachment #3.

****Recommendation:**

That Council approve the remuneration rates for 2024 Municipal Election Officials as attached.

2) Alternate for Returning Officer

The LGEA states that the administrator of the municipality is the Returning Officer unless a Council appoints another person (at least 90 days before Election Day). The *City Administration Bylaw No. 17/2017* notes that the City Clerk is to be the RO unless otherwise determined by the Council. At this point, there has been no indication that Council wishes to use an alternative for this role in 2024. Hiring an alternate is an extra expense which was not budgeted for in 2024 (*Approximate costs for RO positions in provincial and federal are in the range of minimum \$10,000 - \$32,000+*). At this point in time, it is recommended to proceed status quo in accordance with existing policy. However we would look for an appointment from Council to act in place of the RO should for any reason the RO is unable to act or perform in their duties. The Assistant City Clerk has traditionally been appointed as the Associate Returning Officer, is closely involved in planning and operation of the Election, has knowledge of the legislation and procedures and would have the best knowledge on fulfilling the duties should this occur.

****Recommendation:**

That Council appoint Amanda Dietz, Assistant City Clerk as the Returning Officer for the 2024 Municipal and In-City School Board elections should the default Returning Officer, City Clerk Jessica Matsalla, become unable to act or perform her duties.

3) Nomination Day

Historically, this has been five (5) Wednesdays prior to Municipal Election Day. Changes in Legislation note that a Council may augment the period between Nomination Day and Election Day by up to seven (7) Wednesdays prior to Election Day. Municipalities are split as to their recommendations for such. Benefits to such include, more time for the candidates to officially campaign, and more time for Election staff to prepare ballots/do further calls for nomination, etc. Should Council opt to change this, it may conflict with the out of city school board election Nomination Day. Nomination Day was included on Council’s calendar approved in 2023 and it would take a Bylaw amendment to authorize moving the date up.

Nomination Day	Call for Nominations
October 9 (currently set)	September 26
October 2	September 18
September 25	September 11

****Recommendation/Options:**

Administration prefers to keep the Nomination Day consistent with what the majority of the Province will be doing but has listed other options as follows:

- 1- That Council operate status quo regarding Nomination Day for 2024 Municipal and In-City School Board Election as October 9, 2024. (*Preferred*)
- 2- That Council direct Administration to prepare an amendment to the General Election Bylaw No. 10/2020 to provide for a Nomination Day of October 2, 2024.
- 3- That Council direct Administration to prepare an amendment to the General Election Bylaw No. 10/2020 to provide for a Nomination Day of September 25, 2024.

Other matters which must be reviewed/ directed by Council:

Matter /Deadline	Current Status	Potential Changes	Implications/Recommendations
Disclosure of campaign contributions and expenses and/or to establish election campaign limits –September 14/24	Included in Bylaw No. 10/2020	Remove this component by amending the bylaw.	Reduces record keeping/staff time and tracking but along with such reduces transparency of candidates. *No changes recommended – continue status quo.
Pass a general election bylaw* and/or a criminal record check bylaw** August 14/24	Provisions included in Bylaw No. 10/2020	Remove one or both components by amending the Bylaw.	*If removed, would need to address certain aspects of election conduct at a future meeting for decisions by resolution. Not recommended due to time restrictions. ** Criminal Record checks indicate only if an individual has a positive or negative criminal record, and does not disclose details. Having it in place demonstrates transparency, much

			like the mandatory filing of disclosure of private interests. *No changes recommended – continue status quo.
Tie Vote Determinations (If two or more candidates, of which there was no vacancy had the same amount of votes at the final count of votes.)	Would adhere to the provisions in the Act (tie vote is determined by draw from a receptacle)	Incorporate the conduct of a byelection for tie vote as an amendment to the bylaw.	Byelection is more expensive and time/resource intensive, but would go to a more integrous process of determining a candidate. Potential for second tie. *No changes recommended – continue status quo.
Occupation listed on ballots	Provisions included in Bylaw 10/2020 that the occupation may be listed. In the past they have been listed.	Implement a definite inclusion or removal for listing a candidate’s occupation on the ballot.	*No changes recommended – continue status quo. <i>Administration would continue to include the field for occupation on the Nomination Papers as it has been normal in past elections.</i>
Pass a bylaw to use vote counting machines* and mail-in ballot voting system** - August 14, 2024	Provisions included in Bylaw No. 10/2020	Remove one or both components by amending the Bylaw.	If electronic vote tabulating equipment is not used, it would be a regression. It has been proven that the accuracy is better than manual counting. It is quicker, and auditable with the programming included. An agreement has been entertained for lease of equipment from the vendor previously used (ES&S). *No changes recommended – continue status quo. **Recommend to consider a slight amendment to mail-in ballot provision in the bylaw regarding the management of ballots if more than 100 received by the close of Advance Polls. (The high volume of MIB’s in 2020 caused a delay in the final results of approximately 1.5 hours).
At least 55 days before a general election, pass a bylaw to specify that the names on the ballots be	Provision in the current bylaw for the names to be listed alphabetically.	Amend bylaw for random or rotational order.	Complexity equals cost and resource/time intensity. It is up to Council, but my opinion is that the benefit does not outweigh the cost. There must be as many different “lots” of ballots as there

arranged in random or rotational order.			are candidates, and ‘tablets’ of these ballots 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. *No changes recommended – continue status quo.
Provide for enumeration of voters for preparing voters list.	Current plan based on past years is to have voters register at the polls.	Enumerate/develop a voters list/registry.	Enumeration is expensive, and time consuming. The city would be able to develop a registry and then list based on information provided from a sharing agreement, at no cost by Elections Saskatchewan, however, at this point, time is restricted, and the previous ways of registering voters at the poll has sufficed for city of this size, it is therefore it is not recommended to proceed with such for 2024. *No changes recommended – continue status quo.

Along with any changes directed by City Council, a few amendments for the bylaw may be required for clerical reasons (i.e. citing sections of legislation according to the Act changes). Changes of this nature are not expected to impact the application of the bylaw for planning and proceedings. Any amendments necessary will be brought to the July 29 Regular Council Meeting for contemplation.

Items of Returning Officer Responsibility/Authority

Polling Places

Election Day and Advance Polls

Before 2020, the city was divided into three (3) areas for polling stations (Attachment 4). In 2020 due to the proximity of the election to the provincial election which was expected to cause voter confusion, as well as providing a spacious location for social distancing for the COVID-19 Pandemic, Council approved utilizing the Gallagher Centre as the one and only polling location. In 2020, a survey was issued to all citizens of Yorkton to determine their preference and the results of that were split relatively evenly (440 responses with 52.5% in favour of 1 polling location). I intend to continue with this method, as it seemed to work well in 2020. Ideally, we would hold all advance polls at the Gallagher Centre as well, for consistency – however the facility is not available during the times we are able to run them due to a previously scheduled event. Thus, we have scheduled one Advance Poll at the Gloria Hayden on November 8, 2024 (3-10pm), and intend to have a drive through Advance Poll at the City Operations Centre

Building, with times and dates still to be finalized. More information will be advertised beginning in August.

As offered in 2020, three (3) polling stations may offer a more central area for voters, relating to where they reside. Many people will vote on their breaks from work or on their way to or from work, or during the regular hustle of their days. Although the determination of polling stations is up to the Returning Officer, if Council feels strongly about returning to three locations, I will abide by this direction. Locations have been proactively booked in each area in anticipation of this change.

Special/Mobile & Homebound Polls

There are a number of care facilities (Yorkton Crossing, The Bentley, Allan Bay Manor, etc.), plus the Yorkton Regional Hospital in the municipality, and at the time of the report, we are in the process of contacting to determine if they wish to participate in a Special/Mobile Poll being held at their locations. Aside from 2020 due to pandemic precautions, this has been standard practice during municipal elections. Further information will be relayed to Council upon plans being confirmed.

Homebound Polls (for those unable to attend external polling places, and their caregivers) are managed at the discretion of the Returning Officer and shall be conducted per the procedures as indicated the Election Bylaw. These could take place any time as arranged between October 29 and November 13, 2024.

FINANCIAL IMPLICATIONS

The budget for Municipal and In-City School Board Election is approximately \$58,500. In comparison to 2020, Administration expects reduced expenses in facility rentals and workers (less Advance poll dates), less mail-in ballots (postage and supplies) and reduced worker and supply costs as we do not have to contend with pandemic precautions. In 2020, we also invested one time in the development of the www.yorktonvotes.ca microsite and in professional videos for education purposes. These are still valid and accurate.

COMMUNICATION PLAN/PUBLIC NOTICE

As seen in 2020, the Election team will endeavor to explore/utilize any medium within reason to promote voting and other election related matters, and educate the public regarding the Municipal Election. Printed literature through mail-outs, newspaper ads, the election website, electronic billboard signs, radio ads and Mayor's News, social media, television, local theatre, physical signage, and clear lines of communication with the Yorkton Chamber of Commerce, YBID, and other organizations around the City. A detailed communication plan is in the works, and can be shared at a future meeting if Council so desires.

Options and Administrative Recommendations

****The recommendation is in bolded font.**

1. Remuneration of Election Officials
 - a. **That Council approve the remuneration rates for 2024 Municipal Election Officials as attached.**
 - or
 - b. Other direction as Council deems appropriate.

2. Appointment of Alternate Returning Officer
 - a. **That Council appoint Amanda Dietz, Assistant City Clerk as the Returning Officer for the 2024 Municipal and In-City School Board elections should the default Returning Officer, City Clerk Jessica Matsalla, become unable to act or perform her duties.**
or
 - b. Other direction as Council deems appropriate (this could include appointment of a different individual than the City Clerk as the Returning Officer).

3. Nomination Day
 - a. **That Council operate status quo regarding Nomination Day for 2024 Municipal and In-City School Board Election as October 9, 2024.**
or
 - b. That Council direct Administration to prepare an amendment to the General Election Bylaw No. 10/2020 to provide for an earlier Nomination Day of October 2, 2024.
or
 - c. That Council direct Administration to prepare an amendment to the General Election Bylaw No. 10/2020 to provide for an earlier Nomination Day of September 25, 2024.

4. Various Matters for Council contemplation:
 - a. **That Council acknowledge that the following municipal and in-city school board election matters, which fall under Council legislative authority, were reviewed and further direct Administration on the following:
To remain status quo for 2024 Municipal Election operation by maintaining the General Election Bylaw No. 10/2020, which includes the following requirements:**
 - disclosure of campaign contributions and expenses and establish election campaign limits;
 - criminal record check to form nomination papers;
 - Provides for the use and procedures for Mail-in ballots; but that an amendment to the General Election Bylaw No. 10/2020 be prepared to permit for more mail-in ballots to be processed at the close of Advance Polls.
 - Provides for the use of and procedure for Electronic Vote Tabulation machines;
 - Listing of occupation of candidates on the ballot and listing candidates in alphabetical order (by surname).
 - b. Other direction as Council deems appropriate.

5. Tie Vote Management
 - a. **That the management of a tie vote will be determined in accordance with section 141 of the *Local Government Election Act, 2015* (draw names out of a receptacle).**
Or
 - b. That Council direct Administration to prepare a bylaw amendment providing for a byelection to manage a tie vote situation.

6. Voter Registry/List
 - a. **That voters register at the polls, and a voter registry and list not be prepared for 2024.**
Or
 - b. That Council direct Administration to endeavor to prepare a voter registry and list.

7. Polling Locations/Areas
 - a. **That Council receive and file the information from the City Clerk regarding polling stations/areas (Gallagher Centre to stand as sole polling location for Election Day, Gloria Hayden and City Operations Centre for Advance Polls.**
Or
 - b. That Council opt to revert back to three polling areas for the City.

Information Bulletin

Advisory Services – 2024

Summary of Amendments to *The Local Government Election Act, 2015*

On January 1, 2024, legislative changes to *The Local Government Election Act, 2015*, (LGEA) came into force affecting how municipal elections are conducted. As detailed throughout this bulletin, the amendments increased authority of the returning officer (RO), enhanced the use of voters lists and electronic record-keeping, and improved overall voter accessibility. With the changes to the LGEA, incidental amendments were also made to *The Local Government Election Regulations, 2015* (Regulations).

This bulletin is not a substitute for the actual legislation. The complete chapter may be viewed on the Publications Saskatchewan website. Please visit [Publications Saskatchewan](#) to view the LGEA and the Regulations in their entirety.

Section	Description
AMENDED Section 2(1)	<p>Interpretation</p> <ul style="list-style-type: none"> • Updates the following definitions within this section: <ul style="list-style-type: none"> ○ by-election; ○ chief enumerator; ○ election day; ○ election official; and ○ RO. • Adds the following definition: <ul style="list-style-type: none"> ○ voter registry.
AMENDED Section 4(5)	<p>Ordinary residence – Canadian Forces, student</p> <ul style="list-style-type: none"> • Extends voting eligibility to the spouse or dependent of a student who has moved because of their studies.
AMENDED Section 11(2)	<p>By-elections</p> <ul style="list-style-type: none"> • Clarifies by-elections must be held on the same day of the week as a general election: <ul style="list-style-type: none"> ○ Saturdays for resort villages; and ○ Wednesdays for all other municipalities.

By-elections

AMENDED Section 12(2)	<p><i>By-election to fill vacancy on board situated in municipality</i></p> <ul style="list-style-type: none"> Provides council the ability to set the date for a school board by-election within 30 days of the request or at the next meeting of council (if applicable).
<p>AMENDED Section 15</p> <p>Vacancy in Year of General Election</p>	<p><i>Vacancy in year of a general election</i></p> <ul style="list-style-type: none"> Allows the council to forego a by-election for a vacant seat if the vacancy is within one year of the next scheduled general election.
AMENDED Section 16	<p><i>Terms of office</i></p> <ul style="list-style-type: none"> Clarifies a candidate’s term of office commences at the next meeting of council following a by-election and continues for the unexpired term with respect to whom the vacancy arose.
AMENDED Section 19	<p><i>Elections at large</i></p> <ul style="list-style-type: none"> Clarifies that rural municipalities must conduct elections at large if they have not passed a division boundary review policy according to subsection 49.1(3) of <i>The Municipalities Act</i>, or if they have had all divisions removed. Provides that if rural municipalities are required to conduct elections at large, the general election will follow the same election scheme as odd-numbered divisions and reeve.
AMENDED Section 22	<p><i>Determination of polling areas and places</i></p> <ul style="list-style-type: none"> Transfers the responsibility of determining the polling areas and polling locations from council to the RO.
AMENDED Section 24	<p><i>Polling places in rural municipalities</i></p> <ul style="list-style-type: none"> Transfers the responsibility of determining the polling places for each division in a rural municipality from council to the RO.
AMENDED Section 26	<p><i>Change of polling place</i></p> <ul style="list-style-type: none"> Clarifies the RO for a rural municipal election can name an alternate polling place in the event a polling place becomes unavailable.
<p>AMENDED Section 29</p> <p>Hospitals and Personal Care Facilities</p>	<p><i>Hospitals and personal care facilities</i></p> <ul style="list-style-type: none"> Provides authority to the RO to: <ul style="list-style-type: none"> establish a polling place in a hospital or personal care facility, including its days and hours; and in addition to residents, take the vote of a caregiver or any staff member of the facility (if eligible). Allows polling places to be considered as advance polls if they are held in advance of election day (sections 85, 86, and 87 of the LGEA apply, with any necessary modification).

Elections at Large

AMENDED Section 30	<p><i>Procedure for homebound voting</i></p> <ul style="list-style-type: none"> • Transfers the authority to make decisions on homebound voting from council to the RO.
AMENDED Section 38	<p><i>Voting in wards</i></p> <ul style="list-style-type: none"> • Clarifies the assessor of an urban municipality is no longer required to provide a certificate indicating the ward a voter is eligible to vote in; however, a voter may request a certificate from the assessor and if obtained, the voter must present the certificate to the deputy returning officer (DRO) at the polling place.
NEW Section 47.1	<p><i>Emergency powers of ROs</i></p> <ul style="list-style-type: none"> • If an emergency exists, provides authority to the RO to: <ul style="list-style-type: none"> ○ extend the hours of a polling place; ○ suspend and postpone voting for no more than seven (7) days after the day of the election; and ○ move the location of polling places. • Requires the RO to immediately provide notice to the voters of the action taken and the reasons for taking the action.
NEW Section 53.1	<p><i>Voter registry</i></p> <ul style="list-style-type: none"> • Provides council the authority to establish and maintain a voter registry from which a voters list may be prepared for use in an election. • Clarifies the RO is responsible for the preparation and revision of the registry, unless the council directs otherwise. • Provides that assistants may be appointed to prepare and revise the voter registry. • Confirms the voter registry may be established and maintained manually or in electronic format.
NEW Section 53.2	<p><i>Contents of voter registry</i></p> <ul style="list-style-type: none"> • Clarifies the information and data that may be collected about persons eligible to vote.
NEW Section 53.3	<p><i>Revising the voter registry</i></p> <ul style="list-style-type: none"> • Clarifies when the voter registry may be revised and the methods that may be used for revisions, such as: <ul style="list-style-type: none"> ○ enumeration in accordance with section 53.6; ○ agreements made in accordance with section 55; ○ information in public telephone directories; or ○ any other information available or obtained by the RO. • Clarifies when a voter’s name and information must be removed from the voter registry.



NEW Section 53.4	<p>Protection of voter registry data</p> <ul style="list-style-type: none"> • Clarifies the voter registry must only be used preparing a voters list.
NEW Section 53.5	<p>Access to information in voter registry</p> <ul style="list-style-type: none"> • Provides persons the ability to access their information within the voter registry to ensure data is correct, and have the information removed or not included in the registry. • Clarifies the RO may remove information in the voter registry to protect the security or privacy of a voter.
<p>NEW Section 53.6</p> <p>Enumeration</p>	<p>Enumeration</p> <ul style="list-style-type: none"> • Provides authority to council for the enumeration of the names of voters to prepare or revise a voters list. • Clarifies the RO is the chief enumerator unless the council or board otherwise directs. • Allows the information from enumeration to be used to update a voter registry.
<p>AMENDED Section 54</p>	<p>Voters list</p> <ul style="list-style-type: none"> • Clarifies the RO is responsible for the preparation and revision of a voters list unless the council directs otherwise. • Clarifies how a voters list may be prepared and revised. • Confirms a voters list may be compiled and kept manually or in an electronic format. • Clarifies a voter whose name does not appear on a voters list is able to vote in accordance with clause 108(1)(b). <p>Voters List</p>
AMENDED Section 55	<p>Use of data from federal or provincial sources</p> <ul style="list-style-type: none"> • Provides council with the ability to enter into agreements with provincial or federal bodies for the purpose of obtaining and sharing data to create or revise a voter registry or voter list.
AMENDED Section 56	<p>Contents of voters list</p> <ul style="list-style-type: none"> • Clarifies the information to be included in a voters list.
<p>AMENDED Section 57</p> <p>Publishing the Voters List</p>	<p>Publishing of voters list</p> <ul style="list-style-type: none"> • Requires the RO, at least 31 days prior to the general election, to publish in any manner considered necessary: <ul style="list-style-type: none"> ○ a copy of the voters list; and ○ information on how a voter or applicant may apply for revisions to a voters list. • Clarifies the RO must provide public access to a computer to view the voters list if it is kept and revised in electronic format.

AMENDED Section 58	<p><i>Application to strike name</i></p> <ul style="list-style-type: none"> • Requires any application to have a name struck off the voters list must be submitted to the RO at least 21 days prior to the general election. • Clarifies applications may be made in writing or electronically (if adopted in a general election bylaw pursuant to section 9.1).
AMENDED Section 59	<p><i>Application to correct error</i></p> <ul style="list-style-type: none"> • Requires any application to correct an error or omission in the voters list must be submitted to the RO at least 21 days prior to the general election. • Clarifies applications may be made in writing or electronically (if adopted in a general election bylaw pursuant to section 9.1).
AMENDED Section 60	<p><i>Revised voters list</i></p> <ul style="list-style-type: none"> • Requires the RO to consider all applications made regarding revisions to a voters list pursuant to sections 58 and 59 and if the change is necessary, amend the voters list and record each change before the first day of advance voting.
AMENDED Section 61	<p><i>Procedure if name deleted</i></p> <ul style="list-style-type: none"> • Requires the RO to notify a person with the reason their name was removed from the list and advise the person of the eligibility requirements of a voter in accordance with section 36.
AMENDED Section 62	<p><i>Errors</i></p> <ul style="list-style-type: none"> • Clarifies the RO may correct any errors apparent on the face of the voters list at any time, and record each correction.
AMENDED Section 63	<p><i>Copies of the voters list</i></p> <ul style="list-style-type: none"> • Requires the RO to provide one copy of the voters list to each candidate free of charge, if requested.
AMENDED Section 64	<p><i>Use of voters list</i></p> <ul style="list-style-type: none"> • Clarifies a council may use the voters list or revised voters list at any general election or by-election.
AMENDED Section 67	<p><i>Nomination paper</i></p> <ul style="list-style-type: none"> • Requires the nominee’s telephone number, email address or any other preferred contact information be included on the nominee’s acceptance of nomination statement.



AMENDED Section 68	<p><i>Deposit required</i></p> <ul style="list-style-type: none"> Provides that municipalities with a population of 20,000 or more may, within their general election bylaw, increase the amount of the required nomination deposit to a maximum of \$500 for any elected office.
AMENDED Section 73	<p><i>Nomination day</i></p> <ul style="list-style-type: none"> Allows municipalities to establish a nomination day that is up to seven (7) weeks before election day if their general election bylaw permits it.
AMENDED Section 78	<p><i>Nominations less than vacancies</i></p> <ul style="list-style-type: none"> Clarifies if a vacancy is not filled in a by-election, the council must continue to attempt to fill any vacancies.
<p>Advance Polls</p>	<p><i>Advance polls</i></p> <ul style="list-style-type: none"> Requires all municipalities to hold at least one advance poll which is kept open for at least two (2) consecutive hours.
AMENDED Section 96	<p><i>Poll book</i></p> <ul style="list-style-type: none"> Clarifies the poll book must be in the form and manner determined by the RO (no longer a prescribed form). Allows the RO to use information from the poll book to update the voters list.
AMENDED Section 108	<p><i>Voting if voters list</i></p> <ul style="list-style-type: none"> Provides that if the voters list does not contain the school division the voter is eligible to vote in (if applicable), the DRO shall record the information in the poll book.
AMENDED Section 127	<p><i>Voting after close of poll</i></p> <ul style="list-style-type: none"> Clarifies the procedure for voters in line to vote at the polling place when the polling place closes.
AMENDED Section 137	<p><i>Duplicate statement and ballot box delivered to the RO</i></p> <ul style="list-style-type: none"> Requires that any printed copies of the voter registry, voters list, poll book and all forms used with respect to the election, and the packets prepared pursuant to section 136 be placed in the ballot box.





AMENDED Section 140	Notice to minister <ul style="list-style-type: none">• Provides that, in addition to reporting the name and address of successful candidates, the administrator is to report the following to the minister as soon as practicable after the counting of votes:<ul style="list-style-type: none">○ whether the RO exercised authority to move polling hours or locations pursuant to section 47.1;○ in the case of a northern municipality, whether the council set an alternate election date pursuant to subsection 10(3); and○ in the case of a rural municipality, confirmation that:<ul style="list-style-type: none">▪ the municipality has established a policy for the review of its division boundaries pursuant to subsection 49.1(3) of <i>The Municipalities Act</i>; or▪ elections were conducted at large.
AMENDED Section 141	Tie vote <ul style="list-style-type: none">• Clarifies the required procedures a RO must follow if there is a tie vote, subject to section 141.1.
NEW Section 141.1	By-election to resolve tie vote <ul style="list-style-type: none">• Provides that a municipality may have a by-election to resolve any tie votes, if included in their general election bylaw.• Requires that the by-election must:<ul style="list-style-type: none">○ be held within three (3) months;○ not require nominations; and○ involve only the two or more candidates with a tie vote.
AMENDED Section 142	Safekeeping of election materials <ul style="list-style-type: none">• Clarifies the information used in conducting an election may be stored electronically if the information is used for the purpose of preparing for a future election and is stored securely.

Further Information

Questions or comments about this bulletin can be directed to a municipal advisor by calling 306-787-2680 or emailing muninfo@gov.sk.ca.

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Amended by
Bylaw No.
13/2020,
15/2020

**CITY OF YORKTON
SASKATCHEWAN**

BYLAW NO. 10/2020

**A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN TO
ADDRESS MATTERS PURSUANT TO THE LOCAL GOVERNMENT ELECTIONS ACT,
2015 THAT MUNICIPALITIES MAY DECIDE BY BYLAW**

WHEREAS, pursuant to Section 9.1(a) of *The Local Government Elections Act, 2015*, a Council may, by bylaw, establish a general election bylaw;

AND WHEREAS, a Council is legislatively required to determine certain matters regarding a forthcoming election or by-election;

AND WHEREAS, a Council has discretionary authority to act respecting certain aspects of the election;

NOW THEREFORE, the Council of the City of Yorkton in Council assembled enacts as follows:

PART I – SHORT TITLE, PURPOSE, DEFINITIONS AND INTERPRETATION

1. **Short Title:**

This Bylaw may be cited as “**The General Election Bylaw.**”

2. **Purpose:**

The purpose of this bylaw is to address the following election matters:

- a) The methods for providing public notice pursuant to Section 9 of the Act, defining acceptable means of posting notices that are required per the Act;
- b) The disclosure of campaign contributions and finances pursuant to Section 34 of the Act;
- c) Inclusion of criminal record checks with candidate nomination papers pursuant to Section 63.1 of *The Cities Act* and 67(6) of the Act;
- d) The use of voting tabulating machines, or other devices used in an automated vote counting system and to authorize the form of the ballot including the order of the candidates’ names and occupations on the ballots, and procedures for voting and counting of votes by using a vote tabulating unit or other devices used in an automated vote counting system and the addition of a candidates occupation to the nomination paper and ballot;
- e) The establishment of a mail-in ballot system for the purpose of receiving ballots in an election from any elector who anticipates being unable to vote at an Advance Poll or Election Day;

- f) Defining limits and rules on distribution and authorization of advertisements referring to any election or promoting candidacy of a particular person in accordance to Section 182 of the Act;
- g) To develop procedures for homebound polls.

3. **Definitions and Interpretations:**

3.1 In this Bylaw:

- (a) **“Act”** means *The Local Government Elections Act, 2015*;
- (b) **“Acceptable Mark”** means any mark made in the designated space to the left of the candidate’s name which the vote tabulating unit is able to record;
- (c) **“Administrator”** means *the administrator of the municipality*;
- (d) **“Advance Poll”** a poll established within the municipality for voters to cast their votes in advance of election day;
- (e) **“Advertisement”** means advertisement as defined in Section 182 of the Act;
- (f) **“Advertisement Distribution”** means to print or produce by any other process, publish, distribute by mail or otherwise, post, or disseminate or broadcast advertisements referring to any election or promoting the candidacy of a particular person;
- (g) **“Associate Returning Officer”** means a deputy returning officer appointed pursuant to Section 48 of the Act;
- (h) **“Ballot”** means a paper ballot form designed for use in a vote tabulating unit;
- (i) **“Blank Ballot”** means a ballot without any votes in the voting areas as determined by a vote tabulating unit;
- (j) **“Business Day”** means a day other than a Saturday, Sunday or holiday;
- (k) **“Campaign Contribution”** means any money paid, or any donation in kind provided, to or for the benefit of a candidate during the election contribution period for the purpose of financing an election campaign, including revenue raised from a fund-raising event by the sale of tickets or otherwise, but does not include volunteer labour or services;
- (l) **“Campaign Expense”** means the cost of goods and services and the value of any donation in kind, used by or for the benefit of the candidate during the election expenses period for the purpose of a candidate’s election campaign, regardless of whether those costs are incurred, or the donation in kind provided, before, during or after the election expenses period, but does not include audit fees, or volunteer labour or services;
- (m) **“Candidate”** means a person nominated in accordance with the Act for election to City Council;
- (n) **“City”** means the Municipal Corporation of the City of Yorkton;
- (o) **“Contributor”** means an individual, organization or corporation providing a campaign contribution;
- (p) **“Council”** means the Mayor and Councillors of the City for the time being, elected pursuant to the provisions of Section 11 of the *The Local Government Elections Act* whose term has not expired and who has not resigned, and who continue to be eligible to hold office pursuant to Section 26 of *The Local Government Elections Act* and Section 120 of the Act;

- (q) **“Councillor”** means a term used to address Members of Council other than the Mayor;
- (r) **“Criminal Record Check”** a background check as investigated by the Royal Canadian Mounted Police, or other approved policing authority to determine the status of a certain individual’s criminal record;
- (s) **“Declaration of Person Requesting Mail-In Ballot”** means the declaration in Form C, modified as required for in this bylaw, shown as “Appendix F” attached to and forming a part of this bylaw.
- (t) **“Designated Election Official”** means any person designated by the Returning Officer to perform certain election functions;
- (u) **“Disclosure Statement”** means the statement of election campaign expenses and contributions in a form attached as “Appendix A” to this Bylaw;
- (v) **“Donation in Kind”** means the fair market value of goods and services donated or provided by or on behalf of a candidate for the purpose of an election, but does not include volunteer labour or services;
- (w) **“Election”** means election as defined in the *Act*;
- (x) **“Election Contribution Period”** means:
 - (i) In the case of a general election, the period from June 1 to December 31 of the year of a general election; and
 - (ii) In the case of a by-election to fill a vacancy on City Council, the period beginning on the day following the meeting at which City Council decides to hold the by-election and ending 60 days following election day;
- (y) **“Election Expenses Period”** means:
 - (i) In the case of a general election, the period from June 1 to December 31 of the year of the general election; and
 - (ii) In the case of a by-election to fill a vacancy on City Council, the period beginning on the day following the meeting at which City Council decides to hold the by-election and ending 30 days following election day;
- (z) **“Elector”** elector as defined in the *Act*;
- (aa) **“Election Headquarters”** means City Hall, 37 Third Avenue North, Yorkton, Saskatchewan;
- (bb) **“Emergency Ballot Box”** means a ballot box into which voted ballots are temporarily deposited if the vote tabulating unit ceases to function;
- (cc) **“Fund-raising event”** means events or activities held for the purpose of raising funds for an election campaign of the person by whom or on whose behalf the function is held;
- (dd) **“Homebound Poll”** means a poll established at the residence of an elector who because of a physical disability or limited mobility, is unable to attend an established place to vote and includes an elector who is a resident caregiver of the elector described above who is unable to attend an established polling place to vote because of the care required by that elector;
- (ee) **“Issuing Deputy Returning Officer”** means the Designated Election Official appointed to initial and distribute ballots to the electors;
- (ff) **“Main Ballot Box”** means the ballot box used with the vote tabulating unit for holding counted ballots;

- (gg) **“Mayor”** means the Member of Council duly elected in the municipality as the Mayor in accordance with *The Local Government Elections Act, 2015*;
- (hh) **“Member of Council”** shall mean the Mayor or a Councillor;
- (ii) **“Mobile Poll”** means a poll established at the Yorkton Regional Hospital, any personal care facility or similar institution that accommodates at least five (5) individuals that is situated within the City of Yorkton and that agrees to the holding of the poll;
- (jj) **“Municipality”** means the City of Yorkton within corporate city limits;
- (kk) **“Over Voted Ballot”** means a ballot on which one or more of the voting areas has more than the allowed number of acceptable marks as determined by the vote tabulating unit;
- (ll) **“Personal Care Facility”** means a personal care home licensed pursuant to *The Personal Care Homes Act*, a special-care home designated pursuant to *The Regional Health Services Act*, a residential-service facility licensed pursuant to *The Residential Services Act* or an approved home as defined in *The Mental Health Services Act*, but only if the home or facility accommodates or cares for at least five (5) individuals;
- (mm) **“Poll Book”** means the register of electors who have cast their vote, which book contains the list of electors and information relating to the ballot which has the capacity to record information relating to objections and affidavits;
- (nn) **“Portable Ballot Box”** means a ballot box that is used at a polling place where a vote tabulating unit is not being used;
- (oo) **“Public Notice”** is the notice provisions as set out in ‘The Public Notice Bylaw’ in effect at the time;
- (pp) **“Register Tape”** means the printed record generated from a vote tabulating unit that shows:
 - (i) The total number of ballots received;
 - (ii) The number of ballots on which no vote is marked;
 - (iii) The number of ballots on which the voter made more votes than the voter is entitled to make;
 - (iv) The number of votes for each candidate; and
 - (v) If there is a vote on the bylaw or question, the number of votes for and against each bylaw or question.
- (qq) **“Registered Charity”** means a registered charity within the meaning of *The Income Tax Act*;
- (rr) **“Regulations”** means *“The Local Government Election Regulations, 2015”*;
- (ss) **“Resolution”** means a formal determination made by Council or a Council Committee on the basis of a motion, duly placed before a regularly constituted meeting of Council or a Council Committee for debate and decision, and is duly passed;
- (tt) **“Returning Officer”** means:
 - (i) The administrator for the City of Yorkton; or
 - (ii) A person appointed by the Council for the City of Yorkton pursuant to section 47 of *The Local Government Elections Act, 2015*;

- (uu) **“Secrecy Sleeve”** means an open-ended folder or envelope used to cover ballots to conceal any marks made by the elector on the ballot, but does expose the initials of the Deputy Returning Officer;
- (vv) **“Supervisory Deputy Returning Officer”** means the Designated Election Official appointed to secure and operate a vote tabulating unit at an Election Day Poll and receive ballots from the electors and feed them into the tabulating machines;
- (ww) **“USB Flash”** means a removable memory device that the vote tabulator uses to store the scanner’s election definition, audit log, and other election-specific information. The USB Flash drive is updated each time the machine scans a ballot;
- (xx) **“Volunteer Labour or Services”** means labour or services provided for no remuneration but does not include labour or services provided by an individual:
 - (i) If the individual is self-employed and the labour or services provided are normally sold or otherwise charged for by that individual; or
 - (ii) If the individual is being paid by an employer, individual or organization for providing the labour or services;
- (yy) **“Vote Tabulating Unit”** means the device into which ballots are inserted, then which device scans each ballot and reads the votes and tabulates the results for each candidate, bylaw or question;
- (zz) **“Voters Registration Form”** means the Voter’s Registration Form R, modified as required for in this bylaw, shown as “Appendix F” attached to and forming a part of this bylaw;
- (aaa) **“Zero Tape”** means a printed register tape of all totals on the vote tabulating unit’s memory card that indicates zero for all categories.

3.2 Words importing male persons include female persons and singular reference includes plural reference.

3.3 A reference in this Bylaw to an enactment of the Legislative Assembly of Saskatchewan is a reference to the enactment as amended from time to time.

3.4 Where this Bylaw does not provide for any matter, an election to which this Bylaw applies shall be conducted as far as practicable in accordance with the Act.

PART II – METHODS OF PROVIDING PUBLIC NOTICE

4. Notices required to be posted by the Act are to be posted in the following manner:

4.1 On the wall outside the City Clerk’s office at City Hall and

4.2 In the case of an election of members of Council, in at least one or more issue of newspapers having general circulation in Yorkton; and

4.3 In one or more conspicuous locations in Yorkton that are different from the City Clerk’s Office.

5. The contents of a notice that is distributed or delivered need not be published in a newspaper if:

5.1 In Council’s opinion it is not feasible or practicable to do so; and

5.2 All or part of the content of the notice are:

- 5.2.1 Distributed by mail to all voters of the municipality;
- 5.2.2 Published on the City's website or publicly distributed by other electronic means; or
- 5.2.3 Distributed by any other means of publishing or otherwise providing notice as long as notice is given within the same time frame and frequency required by the Act.

PART III – MANAGEMENT OF CAMPAIGN EXPENSES & DISCLOSURE THEREOF

6. Limitation on Campaign Expenses

- 6.1 This Part is applicable for any candidate whose name appears on the ballot in an election.
- 6.2 The maximum allowable campaign expenses of a candidate for any election campaign shall not exceed the limits determined in accordance with this section.
- 6.3 The maximum allowable campaign expenses of a candidate for Mayor shall be determined by application of the formula $MCE = \$1.00 \times P$, where:
 - 6.3.1 MCE = mayoralty candidate's expense;
 - 6.3.2 \$1.00 = allowable campaign expense per capita; and
 - 6.3.3 P = total population of the City as established by most recent Statistics Canada Census.
 - 6.3.4 The MCE shall be published by the City Clerk's Office and reasonably advertised through candidate material, and other means as determined by the City Clerk.
- 6.4 The maximum allowable campaign expenses of a candidate for Councillor shall be 30% of the maximum allowable expenses of a Mayoral candidate as established pursuant to subsection (6.3).

7. Candidate to Keep Records

- 7.1 A candidate shall keep complete and proper accounting records of all campaign contributions and all campaign expenses.
- 7.2 Without limiting the generality of subsection (1), the candidate is responsible to ensure that:
 - 7.2.1 proper records are kept of receipts and expenses;
 - 7.2.2 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
 - 7.2.3 all records kept in accordance with this section remain in the possession and under the control of the candidate at all times.

8. Statement of Campaign Expenses and Contributions

- 8.1 A candidate shall complete and file a Disclosure Statement, as set out in Appendix A attached hereto, with the Returning Officer:
 - 8.1.1 in the case of a candidate for Mayor, within three months following the date of a general election or by-election; and
 - 8.1.2 in the case of a candidate for Councillor, within three months following the date of a general election or by-election.
- 8.2 The Disclosure Statement shall include a:
 - 8.2.1 statement of the total election campaign expenses of the candidate for that election campaign, categorized as shown in Appendix A;

- 8.2.2 statement of the total election campaign contributions with a list of the name(s) and amounts of each contributor contributing an amount equal to or greater than \$200.00, as shown in Appendix A ;
- 8.2.3 statement of any surplus funds from the candidate's campaign and how those funds will be used; as shown in Appendix A;
- 8.2.4 completed Statutory Declaration respecting the information provided in the Disclosure Statement, as shown in Appendix A;
- 8.2.5 Failure to complete the Disclosure Statement will result in fines contained in Schedule 1 of this Bylaw.

9. False or Misleading Statement

- 9.1 No candidate shall file with the Returning Officer a false, misleading or incomplete Disclosure Statement in accordance with Section 181 of the Act.

10. Contributions from Fund-Raising Events

- 10.1 The net proceeds from a fund-raising event shall be considered a campaign contribution and shall be reported by a candidate to the Returning Officer as a campaign contribution in the Disclosure Statement.
- 10.2 Expenses incurred in holding a fund-raising event shall not be considered a campaign expense for the purposes of this Bylaw.
- 10.3 If money is given in response to a general collection or money is solicited from persons in attendance at a fund-raising event, the gross amount collected shall be recorded and reported by the candidate to the Returning Officer as a campaign contribution in the Disclosure Statement.
- 10.4 Money paid to attend a fund-raising event, or money given in response to a general collection or money solicited from a person in attendance at a fund-raising event shall not be included in the contributor's cumulative campaign contribution to a candidate unless an individual amount contributed equals or exceeds \$200.00.

11. Anonymous Contributions

- 11.1 No candidate shall accept an anonymous campaign contribution except those received at a fund-raising event and only where such individual contributions are less than \$200.00.
- 11.2 If a candidate receives an anonymous campaign contribution, except those received at a fund-raising 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.

12. Publication of Disclosure Statements

- 12.1 All documents filed with the Returning Officer pursuant to this Bylaw are public documents and, upon the expiration of the time prescribed by this Bylaw for filing the documents, may, on request, be inspected at the Office of the City Clerk during regular office hours.
- 12.2 The City Clerk shall retain the documents referred to in subsection (1) in accordance with the City's records retention and disposal schedule established pursuant to Section 90 of *The Cities Act*.

12.3 The Returning Officer shall forward to Council for its information, a report summarizing the campaign contributions and campaign expenses of each candidate, with a notation for any candidate who has exceeded the limit on campaign expenses, and the names of any candidates who fail to file a Disclosure Statement pursuant to this Part.

12.4 The City Clerk shall post:

12.4.1 in a conspicuous place, a summary of the information provided to Council under subsection (3); and

12.4.2 on the City's website, the Disclosure Statement for all candidates seeking election whether the candidate was elected or not.

13. Retention of Records by Candidate

13.1 A candidate shall retain all the candidate's records for a period of two years following the date on which the Disclosure Statement was required to be filed.

14. Complaints Procedure & Penalties

14.1 Complaints for elected candidates shall be handled under the complaint handling procedure of the Code of Ethics for Council and Council Committees Bylaw No. 1/2017.

14.2 If a candidate who is elected fails to comply with this Part under the bylaw, the candidate shall be subject to disqualification from Council and eligibility from nominations or election as provided by clause 120(1)(e) and subsection 120(2) of *The Cities Act*.

PART IV – INCLUSION OF CRIMINAL RECORD CHECKS & OCCUPATION OF CANDIDATES IN ADDITION TO NOMINATION PAPERS

15. Every candidate seeking election for municipal office shall obtain a criminal record check in the required Form A.2, Appendix B forming part of this bylaw, and

15.1 shall have attached to Form A.2, the criminal record check received from the candidate's local police service; and

15.2 the Criminal Record check must have been completed by the local police service not more than 30 days before the date that the Nomination papers are submitted to the Returning Officer.

16. Every candidate shall be responsible for all costs associated with obtaining the criminal record check.

17. The criminal record check shall be included with and form part of the nomination form submitted by the candidate for municipal office.

18. Candidates may include their occupation on their nomination paper for inclusion on the ballot.

PART V – USE OF AUTOMATED VOTE TABULATING EQUIPMENT

19. The Council of the City of Yorkton hereby authorizes the use of a vote tabulating unit or other automated vote counting systems at general elections, by-elections and votes of bylaws or questions.

20. Election Officials

- 20.1 The Returning Officer shall appoint, in writing, a Supervisory Deputy Returning Officer, for each vote tabulating unit or other automated vote counting machine used during any vote process.
- 20.2 The Returning Officer will be responsible to ensure that the Supervisory Deputy Returning Officer has been trained on and is provided with appropriate instructions in the operation of the vote tabulating unit or other automated vote counting machine.
- 20.3 The Supervisory Deputy Returning Officer shall ensure that he/she was present at the pre-poll logic and accuracy testing session held in accordance with Section 24.2 of this bylaw.
- 20.4 The Supervisory Deputy Returning Officer will be responsible for the security and operation of the vote tabulating unit or automated vote counting machine from the receipt of the unit/machine from the Returning Officer to the return of the unit/machine to the Returning Officer.
- 20.5 The Supervisory Deputy Returning Officer shall be responsible for the set-up of the vote tabulating unit as per the checklist provided in the vote tabulating unit carrying case and shall ensure that the ballot box with the vote tabulating unit is placed on a flat surface with the front of the vote tabulating unit facing toward the voter.
- 20.6 The Supervisory Deputy Returning Officer shall never leave the equipment or supplies unattended, thus being responsible to ask for assistance from another Election Official, should the requirement to leave the voting station temporarily be required.

21. Form of Ballot

- 21.1 The ballot used for the vote tabulating unit, shall be a paper ballot and shall contain the names, listed in alphabetical order by surname, of all duly nominated candidates for each of the offices contested.
- 21.2 Names on the ballot may be accompanied by the candidate's occupation as listed on the nomination paper.
- 21.3 The ballots shall be required to be produced as per the exact standards of the Vote tabulating unit or other automated vote counting machine used, that is substantially the same as the sample ballot attached as Appendix C and forming a part of this bylaw.

22. Vote Tabulating Unit

- 22.1 There shall be one (1) vote tabulating unit assigned for each of the Election Day Poll locations as determined by Council.
- 22.2 If there is only one (1) Super Poll Location established by Council, then there shall be at least three (3) vote tabulating units set up and organized to accommodate the flow of voters.
- 22.3 Voters shall be permitted to vote at any station in order to promote efficient line management.

22.4 There shall be one vote tabulating unit used for the counting of all ballots cast at the Advance Polls, Mobile Polls, Homebound Polls, and Mail-In Ballots.

22.5 In an emergency, where a vote tabulating unit fails to operate, section 26.7 of this bylaw will apply.

23. Programming of the Vote Tabulating Unit

23.1 The vote tabulating unit shall be programmed so that a printed record of the following can be produced:

23.1.1 the total number of ballots received;

23.1.2 the number of ballots on which no vote is marked;

23.1.3 the number of ballots on which the voter made more votes than the voter is entitled to make;

23.1.4 the number of votes for each candidate; and

23.1.5 if there is a vote on a bylaw or question, the number of votes for and against each bylaw or question.

23.2 The vote tabulating unit shall be programmed to accept under-voted and over-voted ballots without an override function or giving an audible indication, once the ballot is cast.

24. Testing of the Vote Tabulating Unit

24.1 Prior to every election or vote on a bylaw or question, the Returning Officer along with the vote tabulating equipment supplier and a City of Yorkton Information Technology specialist, no more than 90 days before the scheduled election or vote on a bylaw or question, shall test and program the vote tabulating units to ensure they will accurately count the votes cast, according to the procedures established by the Vote Tabulating equipment supplier, including but not limited to:

24.1.1 Testing the vote tabulating units (Diagnostic Testing): This test will ensure that the battery charge, time settings, LCD display, system memory, printer, USB ports and scanners are functioning properly.

24.1.2 Testing USB Flash Drives: This will test every flash drive to ensure it is not defective and can only read acceptable ballot faces.

24.1.3 Testing Ballots: Sample ballots must be prepared and tested on each machine. A test deck must include a variety of ballots types similar to those that will be used for the actual election, and be comprised of samples of blank, over-voted, under-voted and properly completed ballots.

24.2 Prior to use of the vote tabulating equipment, no more than 21 days before the use at an election, a pre-poll logic and accuracy testing, shall be carried out by the Returning Officer, the Supervisory Deputy Returning Officer assigned to the specific vote tabulating

unit and a City of Yorkton Information Technology specialist, according to the procedures established by the vote tabulating equipment supplier, including, but not limited to:

24.2.1 Testing the Vote Tabulating Units (Diagnostic Testing): This test will ensure that the battery charge, time settings, LCD display, system memory, printer, USB ports and scanners are functioning properly.

24.2.2 Testing USB Flash Drives: This will test every flash drive to ensure it is not defective and can only read acceptable ballot faces.

24.2.3 Testing Locations: every location which will be used for the election and which will have a vote tabulating unit, must be inspected. During the inspection, each location's power source which will be used on Election Day will be tested.

24.2.4 Testing Ballots: A test deck of the ballots that have been printed for the election, being received from the printing house, must be tested on each machine. The test deck must include every type of ballot used at a particular location and be comprised of samples of blank, over-voted, under-voted and properly completed ballots, and shall be conducted as follows:

- a) assign a varying number of votes to a pre-audited group of ballots marked with the designated black ballot marking pen in the designated area;
- b) manually count each valid vote and record the results;
- c) tabulate the pre-audited ballots using the vote tabulating unit; compare the output of the vote tabulating unit with the pre-audited results.

24.3 When testing the vote tabulating unit, adequate safeguards shall be taken to ensure that the system, or any part of it, that is used for processing and tabulating votes is isolated from all other applications or programs and that no remote devices are capable of gaining access to the vote tabulating unit.

24.4 A complete record of all testing phases in 24.2.4 of this bylaw, must be retained. In the event that the competency of the voting equipment is questioned, all printouts, reports, and test decks shall be retained to verify the actions taken. The Returning Officer shall, at the completion of the test, retain the programs, test materials and ballots in the manner provided for in the Act for the keeping of materials used in the programming of the vote tabulating units.

24.5 In the event that a vote tabulating unit must be replaced, the unit must be re-tested before it is put into operation in accordance with this section.

24.6 The vote tabulating units shall not be connected to the internet at any time before or during a poll.

25. Pre-Vote Procedure

- 25.1 Prior to every election or vote on a bylaw or question, the Supervisory Deputy Returning Officer shall, in the presence of another Election Official and any candidates, or candidates' agents present, cause the vote tabulating unit to print a zero tape to confirm that all totals in its memory pack indicate a zero.
- 25.2 The Supervisory Deputy Returning Officer shall then certify, by signature, on the printout that the totals indicate zero. The zero tape shall be retained for the purposes of documenting the election results at the polling place.
- 25.3 The Supervisory Deputy Returning Officer shall ensure the vote tabulating unit is adequately secured to prevent unauthorized access.
- 25.4 Pursuant to subsection (25.1), if the totals are not zero for all candidates, bylaws or questions, the Supervisory Deputy Returning Officer shall immediately notify the Returning Officer and shall conduct the poll using the emergency ballot box until the vote tabulating unit is repaired or replaced.

26. Voting Procedures

- 26.1 When it has been confirmed that an elector is at the correct polling place (if applicable) and he or she has been registered as a voter, the Deputy Returning Officer shall provide the elector with a secrecy sleeve and the ballot, which includes all of the offices, bylaws or questions on which he or she is entitled to vote. The reverse side of the ballot issued to the elector shall display in a designated area the initials of the Deputy Returning Officer who issued the ballot.
- 26.2 After marking the ballot, the elector shall place the ballot in the secrecy sleeve and deliver it to the Supervisory Deputy Returning Officer who shall, in the presence of the elector, without removing the ballot from the secrecy sleeve, confirm that the ballot bears the initials of the Deputy Returning Officer. The Supervisory Deputy Returning Officer shall then, in the presence of the voter, insert the ballot directly into the vote tabulating unit. To protect the secrecy of the vote, candidates or scrutineers will not be able to examine ballots or to object to ballots as ballots are being fed into the vote tabulating unit by the Supervisory Deputy Returning Officer.
- 26.3 Both the Supervisory Deputy Returning Officer and the elector, should ensure that the public display counter on the vote tabulating unit increases incrementally by one as this will ensure that the vote tabulating unit has processed the ballot. The elector is thanked for participating in the voting and is directed to the exit, as they are then deemed to have voted.
- 26.4 In situations where it is noted that the ballot does not have the required initials of the Deputy Returning Officer, the voter shall be asked to return the ballot to the Deputy Returning Officer who issued the ballot. The Deputy Returning Officer shall, if he/she is sure that they issued the ballot to the elector, initial the ballot and give it back to the elector to take back to the Supervisory Deputy Returning Officer; or if the Deputy Returning

Officer is not sure, or if the elector requests, shall issue a replacement ballot, mark the returned ballot “spoiled” and retain the spoiled ballot separately from all other ballots.

- 26.5 If, before delivery of the ballot to the Supervisory Deputy Returning Officer, the elector determines that an error may have been made in marking the ballot, or if the ballot is damaged for any reason, the elector may request a replacement ballot from the Deputy Returning Officer who issued the original ballot.
- 26.6 Upon a request under Section 26.5, the Deputy Returning Officer shall issue a replacement ballot, mark the returned ballot “spoiled” and retain the spoiled ballot separately from all other ballots. Spoiled ballots shall not be counted in the election.
- 26.7 During any period that the vote tabulating unit is not functioning, the Supervisory Deputy Returning Officer shall insert all ballots presented by the electors during that period, into an emergency ballot box compartment (small enclosure in the ballot box that will hold between 150-200 ballots) or another emergency sealed ballot box for counting at the end of the voting day. These ballot boxes will be clearly numbered in sequence and will identify the date, time, location and sequencing of the emergency ballot boxes. After the poll closes, those ballots will be fed into the fixed vote tabulating unit or into a replacement vote tabulating unit.
- 26.8 The Supervisory Deputy Returning Officer shall ensure that the USB Flash Drive (containing the Election Definition, audit log and ballot images/vote results) from the malfunctioning unit is transferred to a replacement vote tabulating unit, plug the unit into the AC power outlet, turn on the replacement vote tabulating unit, and proceed to print, verify and sign the zero totals report, as was done prior to the opening of the vote. At the end of the day, the ballots that were processed through the faulty unit and the ballots that were put into the emergency ballot box, will be fed into the working unit. Any ballot which does not bear the initials of the Deputy Returning Officer or which is damaged to the extent that it cannot be inserted into the vote tabulating unit and for which no replacement ballot was provided shall be marked “spoiled” and not be counted in the election.
- 26.9 The Supervisory Deputy Returning Officer shall be required to keep an hourly tally of voters. This is used to assist the election staff with monitoring the elector voting trend times and assist election staff with staffing for peak periods. This is also a double check confirming the number of electors who have voted.

27. Advance Polls

- 27.1 A vote tabulating unit shall be used to conduct the vote at all Advance Voting Polls and voting procedures at the Advance Polls shall be the same as voting at regular polls set out in Section 26 of this Bylaw.
- 27.2 At the close of the day at each Advance Poll, the Supervisory Deputy Returning Officer shall ensure:
- 27.2.1 that no additional ballots are inserted into the vote tabulating unit;

- 27.2.2 that the emergency ballot compartment is sealed to prevent insertion of ballots;
- 27.2.3 that the register tapes in the vote tabulating unit are not generated;
- 27.2.4 that the USB Flash Drive in the vote tabulating unit is secured;
- 27.2.5 that a statement of results, signed by the Election Officials in attendance as well as any scrutineers, recording the starting number on the public display counter of the vote tabulating unit (in the case of the first Advance Poll shall be '0') and the ending number on the public display counter of the vote tabulating unit at the close of that Advance Poll, and the total number of ballots processed at that Advance Poll (which shall equal the number of valid ballots cast at that Advance Poll and equal the sum of the readings on the public display counter at the close of the poll minus the reading at the beginning of the poll), and shall provide that Statement to the Returning Officer along with the returned equipment and supplies;
- 27.2.6 that the vote tabulating unit is turned off by pressing and holding the POWER button located in the tabulator USB well;
- 27.2.7 that the 'Zero Tape' report is attached to the vote tabulating unit, and at the close of each poll that the statement(s) prepared as per Section 27.2.5 is attached to the vote tabulating unit; and
- 27.2.8 that the vote tabulating unit and the USB Flash Drives are **individually** secured.

27.3 At the end of voting on the final day of Advance Poll voting the Supervisory Deputy Returning Officer shall:

- 27.3.1 ensure that any remaining ballots in the emergency ballot compartment are inserted into the vote tabulating unit;
- 27.3.2 secure the vote tabulating unit so that no more ballots can be inserted;
- 27.3.3 ensure delivery of the vote tabulating unit, together with the USB Flash Drive and all other materials used in the election, to the Returning Officer at Election Headquarters;
- 27.3.4 that the same vote tabulating unit used for each Advance Poll is the same unit used to count the ballots from the Mobile and Homebound Polls and Mail-In Ballots at Poll Close on Election Day; and
- 27.3.5 ensure that the register tape for the Advance Polls, Mobile Polls, Homebound Polls and Mail-In Ballots are not printed until after 8:00 p.m. on Election Day.

28. Mobile and Homebound Polls Ballots Tabulation

28.1 The Returning Officer may establish Mobile and Homebound Polls, and the electors' completed ballots shall be deposited in a portable ballot box provided, and will be counted in accordance with Section 32 of this Bylaw.

29. Mail-In Ballots Tabulation

29.1 Mail-In Ballots shall be counted in accordance with Section 32 of this Bylaw.

- 29.2 Notwithstanding subsection 29.1, if 100 or more Mail-In Ballots are received by the close of Advance Polls, those ballots will be opened, audited and ran through the assigned vote tabulating machine on the next business day, prior to Election Day.
- 29.3 USB media for the count mentioned in subsection 29.2 will be stored in a secure location similar to the Advance Poll USB media until the close of poll on Election Day, and the results will not be transmitted until that time.
- 29.4 If the total Mail-In Ballots does not exceed 100, or if there are Mail-In Ballots received after the count described in subsection 29.2, those ballots will will be placed in a sealed ballot box and inserted into the vote tabulator machine in accordance with Subsection 32 of this bylaw.

30. Tabulator Failure:

- 30.1 If a vote tabulating unit fails to operate, the appointed Supervisory Deputy Returning Officer shall secure the vote tabulating unit against receiving any more ballots and personally and immediately contact the Returning Officer.
- 30.2 If at the close of the voting, the Returning Officer is of the opinion that it is impractical to count the votes with the vote tabulating unit or replacement vote tabulating unit, he/she may direct that all the votes cast in the election from that Polling location(s) shall be counted manually following as far as practical the provision of the Act governing the counting of votes.

31. Process for Close of Polls at Election Day Poll Locations

- 31.1 After the close of Election Day Polls, the Supervisory Deputy Returning Officer shall:
- 31.1.1 ensure that any remaining ballots in the emergency ballot box are inserted into the vote tabulating unit; and
 - 31.1.2 secure the vote tabulating unit against receiving any more ballots;
- 31.2 The Supervisory Deputy Returning Officer along with another Election Official shall then process the results as follows:
- 31.2.1 View the public display count on the vote tabulating unit and write down the number of ballots processed through the unit. The number will later be recorded on the statement form.
 - 31.2.2 Leave the 'Zero Report' attached to the vote tabulating unit. The USB Flash Drive remains with the vote tabulating unit and is confirmed by the red plastic tie on the vote tabulating unit.
 - 31.2.3 Check the roll tape before printing the final results to ensure there is enough remaining to print the full report.
 - 31.2.4 Insert the key into the vote tabulating unit USB well access door and open the door. Press the CLOSE POLLS button which is located right above the POWER button. A screen will appear on the LCD monitor, press the red CLOSE POLLS button on the screen to continue closing the poll.

- 31.2.5 The Ballot Accounting Status and Results Report will begin printing automatically. Ensure that this report is signed by both election officials. Call the results immediately to the Returning Officer's headquarters, to report the total number of votes cast for each respective race. The Returning Officer's personnel are to confirm the total numbers announced by reading back the votes for each candidate. Attach this copy to the Deputy Returning Officer's Statement of Results for Voting Machines, in the form attached as Appendix D, forming a part of this bylaw.
- 31.2.6 Do NOT provide additional copies of printouts for any scrutineer if requested. They are to contact the Returning Officer.
- a) Once all the reports have printed, the vote tabulating unit LSD display screen will allow the Deputy Returning Officer to print additional copies of the results tape. Press REPORT OPTIONS, then select Results Report and PRINT. Another copy of the Results Report will print. Leave this copy attached to the vote tabulating unit.
 - b) When the additional report has printed, select CANCEL and the tabulator screen will return to the previous screen.
 - c) The Supervisory Deputy Returning Officer will sign the certificate portion of the printed record along with any candidates or scrutineers who are present and wish to sign.
 - d) Remove the 'Zero Report' and attach the printed Results Report from the vote tabulating unit and place them in the statement envelope.
 - e) The LCD display on the vote tabulating unit will indicate that the "device has been successfully closed for voting".
 - f) Press FINISHED – TURN OFF on the LCD display screen to power off the tabulator.
 - g) Seal the ballot box to ensure the box cannot be re-opened without breaking the seal and cover the ballot slot. Slide out the vote tabulating unit and turn it off and unplug the power source. Store the vote tabulating unit and power cord in the carrying case with the other supplies.
 - h) Return the vote tabulating unit to the Returning Officer along with all other equipment and supplies.

32. Homebound and Mobile Polls and Mail-In Ballots on Election Day

32.1 On Election Day, the Supervisory Deputy Returning Officer for the one vote tabulating unit used for the counting of all ballots cast at the Advance Polls, Mobile Polls, Homebound Polls and Mail-In Ballots shall:

- 32.1.1 input ballots from the portable ballot boxes used at the Homebound Polls and Mobile Polls, at the completion of taking those ballots at those polls, and complete a statement as required in Section 27.2.5 of this bylaw;

- 32.1.2 at the close of the polls, input the Mail-In Ballots, completing a statement as required in Section 27.2.5 of this bylaw;
- 32.1.3 secure the vote tabulating unit against receiving any more ballots; and
- 32.1.4 proceed as set out in Section 31.2 of this bylaw.

33. Secure Storage and Transport of Vote Tabulating Units

- 33.1 The vote tabulating units shall be tracked by serial number and the machines and USB Flash Drives shall be locked in a secure location at all times when unattended by an appointed election official.
- 33.2 All vote tabulating units and USB Flash Drives shall be securely sealed once they have been programmed for an election and the pre-poll logic and accuracy testing have been completed.
- 33.3 All vote tabulating units and USB Flash Drives shall be secured with unique passwords that can only be accessed by assigned election officials at each polling station.
- 33.4 When transporting vote tabulating units and USB Flash Drives, they shall be tracked with a delivery pick up and drop off signing document in which a signature shall be required by the individual receiving and the individual releasing these items.

34. Recount of Votes

- 34.1 The recount of ballots pursuant to Part X of the Act shall be conducted in the same manner as the votes were counted.
- 34.2 A vote tabulating unit shall be programmed and tested before the recount in the manner described in Section 23 of this Bylaw, and shall be programmed to recount only the race that is in question.

PART VI– ESTABLISHMENT OF MAIL-IN BALLOT

35. Mail-In Ballot Process

- 35.1 An application to vote using a Mail-In Ballot:
 - 35.1.1 may not be submitted to the Returning Officer or other Designated Election Official in the case of a general election, prior to September 1st of the election year;
 - 35.1.2 in the case of a by-election, prior to the Wednesday five weeks before the nomination day;
 - 35.1.3 ~~applications, may be made in person or may be submitted digitally in accordance with this Part and must be received by the Returning Officer for the City of Yorkton or other Designated Election Official on or before 4:00 p.m. on the last business day immediately preceding Election Day;~~
 - 35.1.3 applications may be made in person, by mail or may be submitted digitally in accordance with this Part. In person applications must be received by the Returning Officer for the City of Yorkton or other Designated Election Official on or before 4:00 pm on the last business day prior to Election Day.
 - 35.1.4 where the elector is in a hospital or personal care facility or similar institution, in order to accept the documents required in Section 35.2.1 and 35.2.2 and to verify

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identity, the Returning Officer or other Designated Election Official, or individual entrusted by Council as listed in Appendix 'E' of this bylaw shall in person, verify identification and witness signatures on Forms R/C Appendix 'F' for a voter upon request.

35.1.5 ~~Individuals (listed in Appendix 'E') other than the election officials listed above may only verify an original version of the applicant's government issued photo identification, that includes that person's signature (i.e. driver's license). Signatures on forms must be witnessed in person before the individual who is verifying it.~~

35.1.5 Individuals wishing to submit an application for a mail-in ballot by mail or electronically, must have their acceptable identification per *The Local Government Elections Regulations, 2015* verified and may have their identity verified the following ways:

- i) By a person that is an eligible voter and that is a family member as defined by Table 2 of *The Local Government Election Regulations, 2015* or is another person that resides at the same address as the voter.
- ii) By an occupation-based professional as included in Appendix 'E.'
- iii) Any Saskatchewan Health Authority employee as described in Appendix 'E.'
- iv) Signatures on forms must be witnessed in person before the individual who is verifying it.
- v) Witnesses must declare on Form R/C that they are eligible.

35.1.6 ~~For digital submissions, approved witnesses must sign the form, and a copy of the photo identification.~~

35.1.6 For digital and mailed submissions, approved witnesses must sign the form, and a copy of the photo identification.

35.1.7 ~~Individuals~~ Occupation-based professional individuals who witness mail-in ballot applicants' signatures and verify mail-in ballot applicants' identification must provide a written statement on the Appendix 'F' Form R/C regarding what their credentials are. ~~(if applicable) and/or~~ Other external witnesses must define their relationship to the applicant ~~(if applicable)~~ on the Appendix "F" Form R/C.

35.1.8 Applications that are received from external verifiers (other than the Returning Officer or other election officials as listed in Appendix E) that have appropriate verification documented and submitted, will be processed after the Returning Officer or Designated Election Official review and determine that all application requirements are met; and the applicant will be notified by an election official that their packet will be mailed out closer to the date of the Election.

35.1.9 Applications that are received from external verifiers (other than the Returning Officer or other election officials) that do not have appropriate verification documented and submitted, will not be processed, and the applicant will be notified by an election official.

35.2 Before being issued a Mail-In Ballot an elector shall;

35.2.1 complete the combination Declaration of Person Requesting Mail-In Ballot (Form C) / Voters Registration Form (Form R);

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- 35.2.2 establish his or her identity and residence to the satisfaction of the Returning Officer or Designated Election Official or other person as designated by Council in Appendix E in accordance with subsection 35.1;
 - 35.2.3 if the facility administrator of the Hospital or personal care facility, completes the 'Certificate of Identity and Residence'- Appendix G attached hereto and forming a part of this bylaw, one piece of Voter Identification as listed in Appendix H attached hereto and forming a part of this bylaw, shall suffice as proof of identity;
 - 35.2.4 Notwithstanding section 35.2.3, if a facility administrator is appointed as an election official, they may verify identification, and witness signatures required for declarations and applications for mail-in ballot applications.
 - 35.2.5 if the application is approved, the Returning Officer or other Designated Election Official shall enter the elector's applicable details in the Mail-In Ballot Register;
- 35.3 A Mail-In Ballot Register shall be kept by the Returning Officer and shall include the following information:
- 35.2.6 the name and residential address of the elector;
 - 35.2.7 the temporary address of the elector (i.e. where the Mail-In Ballot is to be sent);
 - 35.2.8 the telephone number and email address of the temporary address;
 - 35.2.9 the date the Mail-In Ballot application is approved;
 - 35.2.10 the date the completed Mail-In Ballot is sent to the elector;
 - 35.2.11 the date the completed Mail-In Ballot is received by the Returning Officer or other Designated Election Official;
 - 35.2.12 a notation whether a Mail-In Ballot was accepted, not accepted or spoiled; and
 - 35.2.13 any other information considered appropriate by the Returning Officer.
- 35.4 As soon as reasonably possible after nomination day, the Returning Officer or other Designated Election Official shall mail or otherwise deliver to each elector whose name appears in the Mail-In Ballot Register:
- 35.4.1 a ballot for the upcoming election;
 - 35.4.2 a ballot security envelope;
 - 35.4.3 a voter confirmation envelope;
 - 35.4.4 a self-addressed, postage paid mailing envelope for the return of the ballot to the Returning officer; and
 - 35.4.5 instructions for voting by Mail-In Ballot.
- 35.5 The elector:
- 35.5.1 shall vote in accordance with the instructions enclosed with the ballot; and
 - 35.5.2 may vote for any number of candidates up to the number to be elected in the election in which he or she is entitled to vote.
- 35.6 An elector who has voted shall:
- 35.6.1 place the completed ballot in the ballot security envelope and seal the envelope;
 - 35.6.2 place the sealed ballot security envelope in the voter confirmation envelope and seal the envelope;

- 35.6.3 date and sign the certificate on the voter confirmation envelope;
- 35.6.4 place the signed voter confirmation envelope in the mailing envelope and seal the envelope; and
- 35.6.5 return the mailing envelope to the Returning Officer by mail, courier or in person.

35.7 Upon receipt of the Mail-In Ballot the Returning Officer or other designated election official shall:

- 35.7.1 record in the Mail-In Ballot register, the date and time the ballot is received;
- 35.7.2 open the mailing envelope; and
- 35.7.3 remove the voter confirmation envelope from the mailing envelope, and place the envelope in a portable ballot box designated for Mail-In Ballots.

35.8 After the closing of the polls on Election Day, the Returning Officer or other Designated Election Official shall:

- 35.8.1 remove the sealed voter confirmation envelopes from the portable ballot box designated for Mail-In Ballots, and determine if the certificate on the front of each voter confirmation envelope has been properly completed;
- 35.8.2 if the certificate has not been properly completed, place the unopened voter confirmation envelope in a separate envelope for ballots that are not accepted;
- 35.8.3 if the certificate has been properly completed, remove the sealed ballot security envelope from the voter confirmation envelope and place in a pile of sealed ballot security envelopes; continue this process until all voter confirmation envelopes received have been opened;
- 35.8.4 remove all the Mail-In Ballots from the ballot security envelopes;
- 35.8.5 insert the Mail-In Ballots into the vote tabulating unit;
- 35.8.6 complete the vote counting procedures as specified in Part V of this Bylaw - Automated Vote Tabulating; and
- 35.8.7 record in the Mail-In Ballot register whether the Mail-In Ballot was accepted or spoiled.

36. **Receipt of Ballots**

- 36.1 In order to be counted, a Mail-In Ballot must be received by the Returning Officer or other Designated Election Official by the close of the polls on Election Day.
- 36.2 Mail-In Ballots received after the closing of the polls on Election Day are deemed to be spoiled ballots.

37. **Rights of Candidates and Agent**

- 37.1 The Voter's Registration Forms, Declarations of Persons Requesting Mail-In Ballots, and voter confirmation envelopes and certificates may be inspected by candidates or candidates' agents at the election office at City Hall on Election Day or otherwise, pursuant to Section 29 of this bylaw.
- 37.2 The candidates or their agents shall have the right to object to a person's entitlement to vote as per Section 112 of the *Act*.

38. Safekeeping of Election Materials

38.1 The Mail-In Ballots and forms and other election materials shall be retained and destroyed in accordance with Section 142 of the *Act*.

PART VII – CANDIDATE CAMPAIGN ADVERTISEMENT

39. Authorization of Advertisements

39.1 Pursuant to Section 182 of the Act No person shall distribute or cause to be distributed any advertisement that promotes the candidacy of a particular person unless there is included in, or unless there appears on the face of the advertisement:

39.1.1 the name of the candidate on behalf of whom the advertisement is distributed; and

39.1.2 the name of the person who has authorized its printing, display and distribution.

40. Canvassing at Polling Place

40.1 Pursuant to Section 176 of the Act, during the hours that a poll is open, no candidate, no agent of any candidate, nor any other person shall, in the polling place or within 100 metres of the building in which the poll is held shall not display, distribute or post a campaign sign, a specimen ballot for a person whose name is on the ballot for the election, or any other material purporting to explain how to vote, or leave any of the preceding materials in a voting compartment, except as provided by the Act.

41. Signage

41.1 All campaign signage must comply with the City of Yorkton Sign Regulations Bylaw No. 16/2003, or any amendments thereto.

41.2 Candidates will be required to remove any signage in contravention with this Part or the Act.

41.3 If candidates do not remove signage that is in contravention, it will be removed, and disposed of by City Officials.

41.4 Contravention of placing Election Signage in unauthorized places in accordance with the City of Yorkton Sign Bylaw No. 16/2003 are subject to fines included in Schedule 1 of this bylaw.

41.5 Candidates will be required to remove all campaign signage within seven (7) calendar days after Election Day.

41.6 Contravention of remaining campaign signage up in the City seven (7) calendars days after Election day are subject to fines included in Schedule 1 of this bylaw.

PART VIII- PROCEDURES ON HOMEBOUND POLLS

42. Procedures for Homebound Polling

- 42.1 Subject to eligibility as described in Section 43, election officials may attend a voter's residence at any time between the first day of advance polling and the closing of polls on election day to take a vote of a homebound voter.
- 42.2 A voter eligible for Homebound Voting, or a person acting on behalf of that voter may apply to the returning officer to vote by way of homebound poll and; if applicable to have an eligible resident caregiver's vote taken by way of homebound poll.
- 42.3 Eligible voters must apply in writing in the prescribed form (Appendix F)
- 42.4 Applications must be received by elections headquarters no later than seven (7) calendar days prior to election day.
- 42.5 Applications must include the voter's name and address, and the reason the voter is not able to attend at an established polling place to vote; and if applicable the name and address of the voter's resident caregiver and the reason the resident caregiver, who is also a voter in the municipality is unable to attend at an established polling place to vote during the time when polls are open for voting.
- 42.6 If a returning officer receives an application in accordance with this section and is satisfied that the application is proper and complies with requirements, the returning officer shall include each voter's name and address, on a list of voters entitled to vote at the election for Homebound Polls.
- 42.7 The Returning Officer will notify each voter that appears on the list that their name has been entered on the list of voter's entitled to vote at the election for Homebound Polls; and the approximate time and day when the voter's vote will be taken.
- 42.8 Upon Election Officials arrival at the residence, the voter will be required to complete a Voter's Registration Form and have their identification verified.
- 42.9 The voter will be provided a mail-in ballot packet, with envelopes to preserve secrecy.
- 42.10 The voter will cast their ballot into a portable ballot box.
- 42.11 Homebound Votes will be tabulated in accordance with Section 32 of this bylaw.

43. Eligibility for Homebound Voting

- 43.1 A voter who is unable to attend an established polling place to vote because he or she has a disability or limited mobility may apply to cast a homebound vote.
- 43.2 A resident caregiver of the voter mentioned in section 42.1 may apply to cast a homebound vote if:
 - 43.2.1 the caregiver is also a voter in the municipality and;
 - 43.2.2 because of the care required by the voter mentioned in clause 42.1, the resident caregiver is not able to attend at an established polling place to vote during the time when polls are open for voting.

PART IX - PENALTIES

44. Penalties for Non-Compliance

- 44.1 Subject to subsection (44.2), any person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction by a fine in an amount not less than (\$100.00) dollars and not exceeding:

- 44.1.1 \$10,000.00 dollars in the case of an individual;
- 44.1.2 \$25,000 dollars in the case of a corporation;

- 44.2 Where a Peace Officer or Returning Officer (or their designate) has reason to believe that a person has contravened any provision of this Bylaw, that Officer may issue a Notice of Violation to the person and/or an Order to Comply.
- 44.3 A Notice of Violation may indicate that the City will accept voluntary payment at Yorkton City Hall for the amount listed.
- 44.4 A Notice of Violation shall be served by any method available to the City pursuant to Section 347 of The Cities Act.
- 44.5 Where the City receives a voluntary payment of the prescribed amount in Schedule 1 of this bylaw before a Court Summons is issued, the person receiving the Notice of Violation shall not be liable to prosecution for the contravention.
- 44.6 Payment of a voluntary payment amount specified in a Notice of Violation does not relieve the candidate from further compliance of this Bylaw.

PART X – BYLAWS REPEALED

45. That Bylaws Bylaw No. 10/2016, 12/2016, and 13/2016 are hereby repealed:

PART XI – EFFECTIVE DATE OF BYLAW

45. This Bylaw shall come into force and take effect on the day of passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this 13th day of July, A.D., 2020.

Read a second time this 13th day of July, A.D., 2020.

Read a third time and adopted this 13th day of July, A.D., 2020.

PART XII – APPENDICES & SCHEDULES

Appendix A – Campaign Disclosure Statement

Appendix B – Criminal Record Check Form

Appendix C – Form of Ballot

Appendix D – Statement of Results Form

~~Appendix E – List of Acceptable Persons to Witness Mail-In Ballot App~~

Appendix E (of Bylaw No. 15/2020) List of Persons Able to Witness Mail-in Ballot Application

~~Appendix F – Application for Mail-In Ballot~~

Appendix A (of Bylaw No. 15/2020) – Application for Mail-in Ballot

Appendix G – Certification of Identity & Residence

Appendix H – Voter Identification

Appendix I – Application for Homebound Voting

Schedule 1 – Fines

Amended by
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15/2020

Appendix 'A'

**DISCLOSURE OF ELECTION CAMPAIGN
EXPENSES AND CONTRIBUTIONS**

1. ELECTION EXPENSES

Total Expenses: \$ _____

Summary Breakdown of Expenses:

	<u>Actual Expenses</u>	<u>*Market Value Expenses</u>	<u>TOTAL</u>
Advertising**	\$ _____	\$ _____	\$ _____
Bank Charges	\$ _____	\$ _____	\$ _____
Brochures	\$ _____	\$ _____	\$ _____
Candidates Personal Expenses	\$ _____	\$ _____	\$ _____
Furniture	\$ _____	\$ _____	\$ _____
Insurance and Utilities	\$ _____	\$ _____	\$ _____
Meetings, Social Functions\$	_____	\$ _____	\$ _____
Rallies			
Office Rent	\$ _____	\$ _____	\$ _____
Office Supplies	\$ _____	\$ _____	\$ _____
Postage	\$ _____	\$ _____	\$ _____
Salaries and Benefits	\$ _____	\$ _____	\$ _____
Signs	\$ _____	\$ _____	\$ _____
Stationery	\$ _____	\$ _____	\$ _____
Telephone	\$ _____	\$ _____	\$ _____
Travel	\$ _____	\$ _____	\$ _____
Other categories (describe):			
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
TOTAL EXPENSES:	\$ _____	\$ _____	\$ _____

*“**Market Value Expenses**” means the full market value of those goods and services received at no or reduced cost, except for volunteer labour or services.

*“**Advertising**” means the transmission to the public by any means of an advertising message that promotes or opposes the election of a candidate, and includes one in which the candidate’s name or image is predominately featured promoting, sponsoring, endorsing or launching any project or enterprise if, in the opinion of the Returning Officer, it can reasonably be inferred that the message is intended to promote the election of that candidate, but shall not include advertising done in the ordinary course of the candidate’s business.

2. CUMULATIVE CAMPAIGN CONTRIBUTIONS

Total Contributions Received: \$ _____

List of contributions, including any loans, received from each person which total \$200 or more.

<u>Amount</u>	<u>Name of Contributor</u>
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____

(use additional pages, if required)

3. SURPLUS FUNDS

Amount not spent: \$ _____

If funds received as campaign contributions exceed the election expenses, state the disposition or trust fund in which those funds are being held:

Trust Fund: _____

Disposition to Registered Charity: _____

(Name of Charity)

(Date of Donation)

4. STATUTORY DECLARATION

I, _____ (*name of candidate*), certify and swear as follows:

- 4.1 I am aware of the spending limits in Part III of the General Election Bylaw and I confirm that I have not exceeded the total election expenses set out in the Bylaw.
- 4.2 I am aware of the contribution disclosure requirements in Part III of the General Election Bylaw and I confirm that I have disclosed all election expenses and contributions made to my campaign as required pursuant to this Bylaw.
- 4.3 I have no reason to believe that any cumulative campaign contributions from any contributor equal to or greater than \$200.00 have been received or expended for the purpose of assisting me in the election other than those listed above.
- 4.4 The above information that I have provided as to my contributions and expenses is accurate and complete.

SWORN before me at the)
City of Yorkton, in the Province)
of Saskatchewan this ____ day)
of _____, 2020.

Candidate

Commissioner of Oaths or Notary Public
For the Province of Saskatchewan
My commission/appointment expires

Appendix 'B'

FORM A.2
[Clause 5.1(1)(a)]

RESULTS OF CRIMINAL RECORD CHECK FOR CANDIDATE FOR ELECTION

NAME OF CANDIDATE:

Last Name	Given Name	Middle Name
-----------	------------	-------------

PREVIOUS NAME and/or ANY OTHER NAMES USED: _____

ADDRESS:

Apt.# - Street/Avenue	City/Town	Province/Postal Code	Telephone Number
-----------------------	-----------	----------------------	------------------

DATE OF BIRTH: _____ **PLACE OF BIRTH:** _____

Year/Month/Day

GENDER: Male / Female

CITY: _____

Name of City

NAME OF LOCAL POLICE SERVICE THAT CONDUCTED CHECK: _____

CRIMINAL RECORD CHECK ATTACHED: Yes / No

Note: The criminal record check from the local police service must be attached to this form to be acceptable for submission with the nomination paper and must have been completed not more than 30 days before the date of submission.

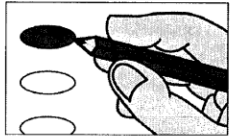
STATEMENT OF CONSENT: *I consented to a search of all records available at the time the search was conducted, including charges before the courts (including active alternative measures, stays of proceedings entered within one year of this request and findings of unfit to stand trial), findings of guilt or convictions (including youth records accessible under subsection 119(2) of the Youth Criminal Justice Act) and court orders (including peace bonds, restraining orders and recognizances under sections 810.01, 810.1 or 810.2 of the Criminal Code) registered in my name in the National Repository and local records available to the police service. I understand that if a possible record existed, it would not be disclosed until identification was confirmed by either myself or by fingerprints. I also understand that apprehensions, orders or other records relating to The Mental Health Services Act or The Youth Drug Detoxification and Stabilization Act were not disclosed.*

I understand criminal record checks submitted pursuant to section 63.1 of The Cities Act:

- are not considered to be for a volunteer position;*
- are not considered to be for a position with the vulnerable sector;*
- do not require fingerprint verification for the sake of submission with the nomination paper and it was my option to submit a fingerprint verification to confirm my identity and record or lack of a record;*
- do not require a release of information to a third party because I received the results personally; and*
- are not required to include copies of the records themselves.*

Dated this ____ day of _____ 20____. **Signature:** _____

Appendix 'C'

Election Training Canada Demonstration 2016 December 30, 2016		
<p>Instructions</p> <p>Making Selections</p>  <p>Fill in the oval to the left of the name of your choice. You must blacken the oval completely, and do not make any marks outside of the oval. You do not have to vote in every race.</p> <p>Do not cross out or erase, or your vote may not count. If you make a mistake or a stray mark, ask for a new ballot from the poll workers.</p>	<p>BEST AUTOMOBILE MANUFACTURER Vote for no more than ONE (1) manufacturer.</p> <p><input type="radio"/> BMW</p> <p><input type="radio"/> MERCEDES</p> <p><input type="radio"/> GENERAL MOTORS</p> <p><input type="radio"/> HONDA</p> <p><input type="radio"/> JAGUAR</p> <p><input type="radio"/> FORD</p>	<p>QUESTION 1</p> <p>Are you in favour of a three day weekend?</p> <p><input type="radio"/> Yes <input type="radio"/> No</p>
	<p>BEST VOCAL ARTIST Vote for no more than TWO (2) artists.</p> <p><input type="radio"/> FRANK SINATRA</p> <p><input type="radio"/> ELVIS</p> <p><input type="radio"/> BUDDY HOLLY</p> <p><input type="radio"/> BARRY WHITE</p> <p><input type="radio"/> STEVIE RAY VAUGHAN</p>	<p>QUESTION 2</p> <p>Should pay increases be issued every six months rather than yearly?</p> <p><input type="radio"/> Yes <input type="radio"/> No</p>
	<p>BEST ICE-CREAM FLAVOUR Vote for no more than ONE (1) flavour.</p> <p><input type="radio"/> CHOCOLATE</p> <p><input type="radio"/> STRAWBERRY</p> <p><input type="radio"/> VANILLA</p>	

Typ:01 Seq:0001 Spl:01 Ballot Style #1

Appendix E

List of Persons Able to Witness Mail-In Ballot Application & Declaration Forms and Verify Identification for the Purposes of Submitting Mail-In Ballot Applications

- 1) A person that is an eligible voter and that is a family member as defined by Table 2 of *The Local Government Election Regulations, 2015* or is another person that resides at the same address as the voter.
- 2) An occupation-based professional who is registered and/or licensed to practice their profession within the Province of Saskatchewan and currently working in that field, namely: judge, doctor, dentist pharmacist, lawyer accountant, social worker, Commissioner for Oaths, Notary Public, law enforcement officer, teacher, postmaster; or
- 3) Any Saskatchewan Health Authority employee currently employed within the City of Yorkton at the Yorkton Regional Health Centre, a senior-assisted living facility, a long-term care facility or care home governed by or affiliated with the Saskatchewan Health Authority.

LOCAL GOVERNMENT ELECTION, 2015

L-30.11 REG 1

Appendix D

TABLE 2

[Subsection 17(2) of the Regulations]

1-1	spouse
1-2	father
1-3	mother
1-4	grandfather
1-5	grandmother
1-6	stepfather
1-7	stepmother
1-8	father-in-law
1-9	mother-in-law
1-10	brother
1-11	sister
1-12	brother-in-law
1-13	sister-in-law
1-14	son
1-15	daughter
1-16	stepson
1-17	stepdaughter
1-18	son-in-law
1-19	daughter-in-law
1-20	grandson
1-21	granddaughter

24 Dec 2015 eL-30.11 Reg 1.

Appendix 'A'
LOCAL GOVERNMENT ELECTION

FORM C and FORM R

[Subsection 92 of the Act and clause 18(1)(a) of the Regulations and Subsection 96(2) and 121(2) of the Act]

Voter's Registration Form and Poll Book / Declaration of Person Requesting Mail-In Ballot

Name: _____
(Please print)

Address: _____
(Please print)

Election held in the City of Yorkton, Good Spirit School Division No. 204 – City of Yorkton Subdivision and Christ the Teacher Catholic Separate School Division No. 212 – City of Yorkton Subdivision

Complete the following by placing an "X" in the box next to 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.

School Division Voters

1. On the day of the election, I:

- a) have resided for at least three consecutive months immediately preceding the day of the election in the: *(Check one)*
 - i. Good Spirit School Division No. 204; or
 - ii. Christ the Teacher Catholic Separate School Division No. 212, and I am of the religious faith of the minority that established the separate school division;
- b) qualify as a voter of that school division; and
- c) have resided in Saskatchewan for at least six consecutive months immediately preceding the day of the election.

Municipal Voters

2. On the day of the election:

- a) I: *(Check one)*
 - i. have resided for at least three consecutive months immediately preceding the day of the election in the City of Yorkton; or
 - ii. have been the owner for at least three consecutive months immediately preceding the day of the election of assessable land situated in the municipality; and
- b) I have resided in Saskatchewan for at least six consecutive months immediately preceding the day of the election.

Declaration of Person Requesting Mail-In Ballot

<p>Declaration of Absentee Voter:</p> <p><input type="checkbox"/> I request that a mail-in ballot be issued to me.</p>
--

Address where the mail-in ballot is to be mailed: _____
 (Please print)

For mail and digital submission:

I have included a copy of acceptable identification, signed by the witness below.

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

Dated this ___ day of _____, 20__.

Witness:

I declare that I am an eligible witness and 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.

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 and by virtue of *The Canada Evidence Act*.

 (Witness Name Print/Signature)

 (Voter Signature)

Witness Verification Information (must complete one of the following options taken from Appendix E of Bylaw No. 10/2020):

- Credentials/Profession: _____
or
- Spouse, Family Member or Member residing in the same household or residence that is 18 years old or older. Relationship to Voter: _____

FOR ELECTION OFFICIAL USE ONLY

Mail-In Ballot Register

	Initials		Initials
Date application accepted:		Ballot accepted	
Date mail-in ballot kit mailed/provided:		Ballot not accepted	
Date mail-in ballot received:		Ballot spoiled	

Remarks: _____

No. _____

Appendix 'G'

FORM A

[Subclause 110(a)(ii) of the Act and section 14 of the Regulations]

Certification of Identity and Residence

To Be Completed By Person Seeking To Vote In A Local Election

I, _____, have resided since _____
(Name of Person – Please print) *(Date)*

OR have eaten or slept on the following dates _____

At _____
(Name of Facility)

(Address of Facility)

I certify that this information is true.

(Signature) _____
(Date)

To Be Completed By Facility Administrator

I, _____,
(Name of authorized representative of facility noted above – Please print) *(Position)*

Certify the following:

- I am authorized to complete and issue a “Certification of Identity and Residence” form on behalf of the facility noted above, to provide proof of identity and proof of residence for residents/clients of the facility who wish to register and vote in elections held in a municipality and/or school division at an Advance Poll or on Election Day.
- I confirm that the individual mentioned above is a resident/client of the facility, or resident of the location identified above for the period indicated.
- I certify that I have witnessed the individual’s signature.

(Authorized Signature of Administrator) _____
(Date)

This form may be printed on the facility’s official letterhead.

Warning: Every person who furnishes false or misleading information to a returning officer or to any person who is authorized to act as an election official is guilty of an offence and liable on summary conviction to a fine of not more than \$5000.

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TABLE 1

Voter Identification
[Section 14 of the Regulations]

1. Information Showing Name

The following valid and original documents containing the name of the bearer:

- 1-1 Birth Certificate
- 1-2 Canadian Blood Services Donor Card
- 1-3 Canadian Passport
- 1-4 Certificate of Canadian Citizenship (Citizenship Card or Citizen Certificate) issued by the Government of Canada
- 1-5 Certificate of Indian Status (Status Card) or Secure Certificate of Indian Status issued by the Government of Canada
- 1-6 Canadian National Institute for the Blind (CNIB) client card bearing the person's photograph and signature or a card bearing the person's photograph and signature issued by any registered charitable organization that provides services to persons with disabilities
- 1-7 Credit Card issued by a bank or credit union
- 1-8 Debit Card issued by a bank or credit union
- 1-9 Identification issued by the Canada Border Services Authority
- 1-10 Identification issued by Canadian Air Transport Security Agency (CATSA)
- 1-11 Identity Card issued by the Canadian Forces
- 1-12 Employee card issued by the Government of Canada, the Government of Saskatchewan, a Saskatchewan municipality, a school division or an Indian Band in Saskatchewan, or an agency of one of these entities
- 1-13 Firearm Possession and Acquisition Licence or Possession Only Licence issued pursuant to the *Firearms Act* (Canada)
- 1-14 Hunting, Angling and Trapping Licence issued pursuant to *The Fisheries (Saskatchewan) Act, 1994* or *The Wildlife Act, 1998*
- 1-15 Hospital bracelet/Hospital card
- 1-16 Métis Nation Status Card issued by the Métis Nation – Saskatchewan
- 1-17 Old Age Security (OAS) Card issued pursuant to the *Old Age Security Act (Canada)*
- 1-18 Pleasure Craft Operator Card issued pursuant to the *Canada Shipping Act*
- 1-19 Parolee identification card or other identification card issued by an institution under the authority of the Commissioner of the Correctional Service of Canada
- 1-20 Radio Operator Card or Certificate issued by Industry Canada

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- 1-21 Saskatchewan Driver's Licence issued pursuant to *The Traffic Safety Act*
- 1-22 Saskatchewan Health Services Card issued pursuant to *The Health Administration Act*
- 1-23 Social Insurance Number Card issued by the Government of Canada
- 1-24 Student Identification Card issued by a post-secondary institution regulated by a Saskatchewan Act
- 1-25 Union Identification Card
- 1-26 Veterans Affairs Canada Health Identification Card
- 1-27 Wildlife Habitat Certificate
- 1-28 Professional or trade certification card or licence
- 1-29 any other piece of identification issued by the Government of Canada, the Government of Saskatchewan, a Saskatchewan municipality, a school division or an Indian Band in Saskatchewan, the Métis Nation - Saskatchewan or an agency of one of these entities bearing the person's name

2. Information Showing Name and Address

The following valid and original documents containing the name and address of the bearer:

- 2-1 any document bearing the person's name and address and issued by the Government of Canada, the Government of Saskatchewan, a Saskatchewan municipality, a school division or Indian band in Saskatchewan, the Métis Nation - Saskatchewan, or an agency of one of these entities
- 2-2 a Certification of Identity and Residence that is substantially in the form of Form A of Appendix A, issued by the responsible authority of a shelter, soup kitchen, student residence, senior residence or long-term care facility.
- 2-3 one of the following documents issued by the responsible authority of a shelter, soup kitchen, student residence, senior residence or long-term care facility:
 - (a) Letter of Stay
 - (b) Admission Form
 - (c) Statement of Benefits
 - (d) An original or copy of an original document provided by the facility that includes the resident's name, facility address and other relevant information indicating that the individual resides at the facility, such as:
 - (i) a resident data sheet;
 - (ii) a Face Sheet from the Care Organizer Health Record System; or
 - (iii) a similar document that is kept on record by the facility.
- 2-4 Bank Card Statement issued by a bank or credit union
- 2-5 Blank cheque bearing the person's name and address

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- 2-6 Credit Card Statement issued by a bank or credit union
- 2-7 Certified copy of title issued by the Registrar of Titles
- 2-8 Certificate of vehicle registration issued pursuant to *The Traffic Safety Act*
- 2-9 Correspondence issued by a post-secondary institution regulated by a Saskatchewan Act
- 2-10 Declaration witnessed by a notary public or Commissioner for Oaths
- 2-11 Document issued or certified by a court in Canada
- 2-12 Documents issued by a utility that supplies telephone, cable television, electricity, gas, or water services
- 2-13 Government cheque or cheque stub issued by the Government of Canada, the Government of Saskatchewan, a Saskatchewan municipality, a school division or Indian band in Saskatchewan, the Métis Nation - Saskatchewan, or an agency of one of these entities
- 2-14 Income Tax Assessment Notice issued by the Canada Revenue Agency
- 2-15 Insurance policy
- 2-16 Letter from the Public Guardian and Trustee
- 2-17 Pay cheque or pay receipt issued by an employer
- 2-18 Pension plan Statement of Benefits, Contributions or Participation
- 2-19 Property Tax Assessment Notice or a Tax Notice issued by a municipality
- 2-20 Residential Lease or Mortgage Statement
- 2-21 Statement of Crop Insurance issued by the Saskatchewan Crop Insurance Corporation
- 2-22 Statement issued by the Worker's Compensation Board
- 2-23 Statement of government benefits (employment insurance, old age security, social assistance, disability support or child tax benefit) issued by the Government of Canada or the Government of Saskatchewan
- 2-24 Voter identification card issued by a Saskatchewan municipality that shows name and address.

Schedule 1

Voluntary Payments for Fines for Contravention of Bylaw No. 10/2020 the General Election Bylaw.
Part III and Part VII

Bylaw Section	Bylaw Description	Amount of Fine
Subsection 8.2.5	Failure to submit Campaign Disclosure Statement	\$300
Subsection 41.4	Placing Election (candidate) signage in unauthorized places in accordance with the City of Yorkton Sign Bylaw	\$100 per occurrence.
Subsection 41.6	Fine for Remaining campaign signage seven (7) calendars days post Election Day.	\$100 per offence, including subsequent monitoring of each location.

2024 Municipal Election Official Remuneration Rates

Election Official Position*	Rate /hour unless otherwise specified				
	Federal 2024	Provincial 2024	Yorkton 2020	Yorkton 2024	Training 2024
SDRO	\$25.00	\$23.00	\$22.00	\$23.00	\$75.00
IDRO	\$19.37	\$20.50	\$18.00	\$19.00	\$50.00
Poll or ID Clerk	\$19.37	\$17.00	\$16.00	\$17.00	\$50.00
Constable/Greeter	\$16.83	\$16	\$14.00	\$15.00	\$50.00
Runners/day	N/a	n/a	\$65.00	\$50.00	n/a
Worker Training	Same as above	\$15.00**	\$50-75		
Cell phone use	\$10/day	\$5/day	n/a	\$5-\$10/day	

City Employees wishing to participate as an election official may work election during office hours, and bank lieu time any time thereafter.

* Election Officials have varying degrees of responsibility across the different levels of election

** The trainee needs only to complete an online module - City training is in person hands on, and takes approximately 2 - 3 hours.

CITY OF YORKTON POLLING BOUNDARIES 2016

- CITY LIMITS
- VOTING BOUNDARIES
- *1 GALLAGHER CENTRE
- *2 GHCC
- *3 YORKDALE SCHOOL

