

## Frequently Asked Election Questions... Answered

This is a list of generalized election questions frequently asked of the municipal advisors at Local Government Services. Please note that some provisions of the [Local Authorities Election Act](#) differ for Summer Villages.

1. **Do I need to be a Canadian citizen to vote in a municipal election?**
2. **Do I need to show voter identification when I vote?**
3. **Someone voted who shouldn't. What do I do?**
4. **Who is eligible to observe the election process?**
5. **Can I look at the nomination papers on nomination day?**
6. **Can a person with a criminal record run in a local election?**
7. **Do I have to vote for the required number of candidates?**
8. **I own property in more than one municipality, can I vote in both?**
9. **If I own a business in a municipality but do not live in that municipality can I still vote in the municipality where I own my business?**
10. **If I am a renter, not a property owner, am I entitled to vote?**
11. **I'm going to be out of town on October 15, 2007. Can I vote in advance?**
12. **I put my special ballot package in the mail. How do I know if my vote was counted?**
13. **If a person has resided in a municipality 24 hours prior to the election are they eligible to vote?**
14. **The number of nominations is equal to the number of offices to be elected. Do I have to wait until after the October 15 election day before an organizational meeting?**
15. **Are you allowed to campaign inside, outside or near a voting station on election day?**
16. **Council is considering providing for the submission of a question to be voted on by the electorate. Does this vote bind council?**
17. **Who can challenge the validity of an election?**
18. **Who has the ability to ask for a recount?**
19. **What do you do if there is a tie?**
20. **When are the election results official?**
21. **Can I vote for both a public and separate school board trustee?**
22. **What time is the voting station open?**
23. **What are allowable election campaign expenses?**

**Q: Do I need to be a Canadian citizen to vote in a municipal election?**

**A:** Yes you must be a Canadian citizen. You must also have been a resident of Alberta for at least six (6) months immediately preceding election day and your place of residence is located in the area on election day.

**Q: Do I need to show voter identification when I vote?**

**A:** You may be required to show identification if an elected authority has passed a bylaw providing for the number and types of identification required to verify the person's identity and age. Please check with your municipality to see if they have passed a voter identification bylaw.

**Q: Someone voted who shouldn't. What do I do?**

**A:** A note of objection can be made to the voting register on the objection to the voter by a returning officer, candidate, official agent or scrutineer on election day. Upon a successful application to the courts, a person who votes knowing that they have no right to do so may be fined up to \$10,000 or may be imprisoned for not more than 6 months, or both.

**Q: Who is eligible to observe the election process?**

**A:** A candidate, an official agent or scrutineer for a particular candidate may be in the voting station, however they may not all be in a voting station at the same time during voting hours.

**Q: Can I look at the nomination papers on nomination day?**

**A:** After 12 noon on September 17, 2007, a person may request to examine the filed nominations during regular business hours and in the presence of the returning officer, deputy or secretary. See section 28(4) of the [Local Authorities Election Act](#).

**Q: Can a person with a criminal record run in a local election?**

**A:** Yes, however if that person has been convicted of an election offence (federal, provincial or local) within the previous 10 years, they are ineligible. Ineligibility to run in a local election is outlined in section 22 of the [Local Authorities Election Act](#).

**Q: Do I have to vote for the required number of candidates?**

**A:** No, however you may only vote once for each candidate and only up to the number of candidates to be elected to the office. See section 57, [Local Authorities Election Act](#).

**Q: I own property in more than one municipality, can I vote in both?**

**A:** No. You would not meet the eligibility to vote criteria contained in section 48(1) of the [Local Authorities Election Act](#), as a person may only have one place of residence for the purpose of the act. An exception exists for Summer Villages. If you, your spouse, or your adult interdependent partner are named on a certificate of title, you are also eligible to vote in a summer village.

**Q: If I own a business in a municipality but do not live in that municipality can I still vote in the municipality where I own my business?**

**A:** No. You would not meet the eligibility to vote criteria contained in section 47(1) of the [Local Authorities Election Act](#), as your place of residence must be located in the municipality on election day. This would apply to a vote on a question in addition to the election of offices.

**Q: If I am a renter, not a property owner, am I entitled to vote?**

**A:** Yes, a renter can vote if they meet the Eligibility to Vote, section 47 in the [Local Authorities Election Act](#) (LAEA). A renter is also eligible to run for office if he meets the requirements of section 21, Qualification of Candidates, in the LAEA.

**Q: I'm going to be out of town on October 15, 2007. Can I vote in advance?**

**A:** Only if the council has passed a resolution to provide for an advance vote or special ballot voting. Please check with your local authority to see if they passed one of these resolutions. See sections 73 and 77.1, [Local Authorities Election Act](#).

**Q: I put my special ballot package in the mail. How do I know if my vote was counted?**

**A:** It is your responsibility to ensure that your special ballot is received by the returning officer before the deadline to return special ballots. It is up to the returning officer to determine if the special ballot certificate envelope is accepted or rejected. See section 77.2(5), [Local Authorities Election Act](#).

**Q: If a person has resided in a municipality 24 hours prior to the election are they eligible to vote?**

**A:** The rules of residence are outline in section 48 of the [Local Authorities Election Act](#) and a person only has one place of residence. Therefore if a person is only visiting, they are not eligible to vote in that municipal election.

**Q: The number of nominations is equal to the number of offices to be elected. Do I have to wait until after the October 15 election day before an organizational meeting?**

**A:** No, the organizational meeting may be held when the returning officer declares those elected by acclamation. See sections 10 and 34 of the [Local Authorities Election Act](#).

**Q: Are you allowed to campaign inside, outside or near a voting station on election day?**

**A:** No. See section 152, [Local Authorities Election Act](#).

**Q: Council is considering providing for the submission of a question to be voted on by the electorate. Does this vote bind council?**

**A:** If the question was not required to be put to a vote, then the decision does not bind council.

**Q: Who can challenge the validity of an election?**

**A:** If the validity of an election of a member of an elected authority or the member's right to hold the seat is contested, or the validity of a vote on a bylaw or question is contested, the issue may be raised before the Court of Queen's Bench. See section 126, [Local Authorities Election Act](#).

The issue may be raised by:

- a candidate,
- the elected authority,
- any elector if the right to sit is by acclamation or contested on the grounds that a member of the elected authority is ineligible, disqualified or has forfeited the member's seat since the election, or
- an elector who gave or tendered their vote at the election.

**Q: Who has the ability to ask for a recount?**

**A:** The returning officer may make a recount if a candidate, official agent or a scrutineer shows grounds that the count of votes is inaccurate. The returning officer may also consider the number of rejected ballots, valid ballots objected to, or any administrative or technical errors. If a recount is requested, a recount application must be made by 4:00 p.m. on October 17, 2007.

Any elector may ask for a judicial recount by filing a notice of motion for a recount with the clerk of the Court of Queen's Bench before November 3, 2007. See sections 98 and 103, [Local Authorities Election Act](#).

**Q: What do you do if there is a tie?**

**A:** If a tie determines who is elected or not, the returning officer writes the names of those candidates on separate pieces of paper and “draws a name from a hat”. The name on the withdrawn paper is considered to receive one more vote. See section 99, [Local Authorities Election Act](#).

**Q: When are the election results official?**

**A:** Election results are considered official at 12 noon on October 19, 2007. The returning officer may publish unofficial election results. See section 97, [Local Authorities Election Act](#).

**Q: Can I vote for both a public and separate school board trustee?**

**A:** No. You may vote for either a public or separate school board trustee depending on residency. Residency is determined by faith. If you reside within the boundaries of a separate school district and share the same faith as those who establish the district, you are a resident of the separate school district, not of the public school district. See section 44 of the [School Act](#).

**Q: What time is the voting station open?**

**A:** Voting stations are open from 10:00 a.m. until 8:00 p.m. on election day unless the local authority passed a bylaw allowing voting stations to open earlier than 10:00 a.m.

Employees who are electors have the right to have three consecutive hours to cast their vote while the voting station is open. If the hours of the employee’s employment do not allow for three consecutive hours, the employer shall allow him or her any additional time for voting that is necessary to provide three consecutive hours. The additional time for voting shall be granted at the convenience of the employer. If the employee’s normal employment hours end at 5:00 p.m., the employee would have three consecutive hours in which to vote, from 5:00 p.m. to 8:00 p.m. See sections 46 and 58, [Local Authorities Election Act](#).

**Q: What are allowable election campaign expenses?**

**A:** Allowable election expenses include a candidate’s actual personal expenses; the cost of acquiring premises, accommodation, goods or services for proper election campaign expenses; payments for the cost of printing and advertising; and reasonable transportation expenses for election purposes. An elected authority may by bylaw require that candidates prepare and disclose campaign expenses and contributions. See section 118, [Local Authorities Election Act](#).