

2020 CANDIDATES GUIDE TO THE MUNICIPAL GENERAL ELECTION



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INTRODUCTION

This resource is designed to assist all individuals interested in seeking election to the office of Municipal Council.

The information contained in this resource is general in nature and has been prepared as a reference only for candidates, but should not be considered the final resource. Some of the required legislation candidates should refer to:

- *The Local Government Elections Act, 2015 (Referenced in the headings as LGEA, 2015)*
- *The Municipalities Act*
- The Town of Nipawin Elections Policy
- The Town of Nipawin current Mail-In Ballot Bylaw
- The Town of Nipawin Criminal Record Check Bylaw 1085/19
- The Town of Nipawin Procedures Bylaw 1100/20

Copies of the Acts may be obtained from Queen's Printer www.qp.gov.sk.ca.

Bylaws and minutes of the Town of Nipawin may be found on the Town of Nipawin Website @ www.nipawin.com.

If you have any questions about the information in this guide or the Town Election process, please contact the Returning Officer, Barry Elliott, @ 306-862-9866 or b.elliott@nipawin.com.

Becoming an Elected Official

Why Run for Office

Becoming a member of Council is a challenging and rewarding experience. Elected officials have the opportunity to influence the future of Nipawin. You are there to represent the residents of the community and their best interests and to make informed decisions that will benefit the town now and into the future.

Mayor and Councillors

Sections 92 and 93 of *The Municipalities Act* are attached for information explaining the general duties of a Mayor and/or Councillor.

Time Commitment

Being an active member of Council is demanding on your time. In addition to regular meetings, you will be required to attend special meetings, committee meetings, board meetings and various public meetings and functions. You might consider talking to a current member of Council to find out how much time you should expect to commit. Council meetings are typically scheduled on the 2nd and 4th Monday throughout the year, with the exception of July, August and December (as per Town of Nipawin Procedures Bylaw 1100/20).

Term of Office

Members of Council are expected to serve a four-year term. The term under this election will run until November of 2024.

Important Information

Election Day

General Voting Day is Monday, November 9, 2020. The Polling place will open at 9 a.m. and close at 8 p.m.

Nomination Day

Nomination Day is Wednesday, October 7, 2020 – this is the last day to submit nomination papers to become a candidate. Applications will be accepted between 9 a.m. and 4 p.m. on this day at the office of the Chief Administrative Officer @ 210 Second Avenue East, Nipawin, SK S0E 1E0.

Nomination papers may be filed anytime between September 22 and October 7, 2020.

Call for Nominations

The Returning Officer will place a call for nominations in The Journal on or before September 22, 2020.

Who's Who

The Returning Officer is responsible for running the election and is also the Chief Administrative Officer.

Barry Elliott - Returning Officer
Chief Administrative Officer
210 Second Avenue East
Nipawin, SK S0E 1E0
306-862-9866
b.elliott@nipawin.com

Michele Sorensen – Deputy Returning Officer
Executive Assistant
210 Second Avenue East
Nipawin, SK S0E 1E0
306-862-9866
m.sorensen@nipawin.com

Qualifications of Candidates

You May Run for Office If (§ 42 – LGEA, 2015):

- On the day of the election, you are the full age of 18 years or will attain the full age of 18 years on or before Election Day (November 9, 2020);
- At the time you submit the nomination papers, you are a Canadian citizen and you have resided in Nipawin for at least three consecutive months immediately preceding the date on which nomination papers are submitted and you have resided in Saskatchewan for at least six months immediately preceding the date on which nomination papers are submitted; and
- You are not disqualified by *The Local Government Election Act, 2015* or any other Act from holding the office for which you are a candidate.

Who May Not Run for Office (§ 43 – LGEA, 2015):

You may not run for the office of Councillor if you:

- Are a judge of a court
- Are an auditor or solicitor of the municipality

No person is disqualified from being nominated for office as a member of Council by reason of that person having an interest in a contract with the Town.

The Following Persons May Seek Nomination to Council (§ 43 – LGEA, 2015):

If the person first obtained a leave of absence in accordance with *The Saskatchewan Employment Act*:

- An employee of the Town of Nipawin
- An employee of a board or commission appointed by Council

Notwithstanding section 2-54 of *The Saskatchewan Employment Act*, an employee who is elected is deemed to have resigned from his or her position of employment on the day before the day on which he or she is declared elected unless for any reason the results of the general election are overturned.

Candidates' Agents (§ 104 – LGEA, 2015):

Candidates wishing to appoint agents must complete an Appointment of Candidates' Agent form for each agent. The agent must present the appointment form and make a declaration to the Deputy Returning Officer at the polling place. Once the agent makes the declaration, the agent is permitted to be at the poll in a location designated by the Deputy Returning Officer so that he or she may observe the conduct of the election.

An agent is permitted to observe but in no way interfere with the process of the election.

Nominations

Nomination Period (§ 66 & § 73 – LGEA, 2015):

The Nomination period is Tuesday, September 22nd to Wednesday, October 7th, 2020.

The deadline to file nomination papers is 4 p.m., Wednesday, October 7, 2020.

Nomination papers will be accepted at the Town of Nipawin Civic Offices during normal business hours (8:30 a.m. to 12:00 noon and 1:00 p.m. to 4:30 p.m. Monday to Friday), with the exception of Nomination Day (October 7, 2020) when they will be accepted only between the hours of 9:00 a.m. and 4:00 p.m.

Nomination Papers (§ 67 – LGEA, 2015):

To be nominated for an elected position, a person must file nomination papers with the Returning Officer or designate during the specified nomination period. Nomination papers must state the name and address of the person nominated and the office for which the person is being nominated.

Application Criteria (§ 67 – LGEA, 2015):

For the position of Councillor, the application must be signed by at least 5 eligible voters of the municipality.

Nomination papers are not valid unless the candidate's acceptance of nomination statement is signed by the person being nominated and witnessed by two people. Only one person can be nominated for election on each nomination paper. A nominating voter may sign the nomination papers of more than one person. Candidates cannot nominate themselves.

The onus to file bona fide nomination papers is on the person being nominated. The Chief Administrative Officer (Returning Officer) or the Executive Assistant are not eligible to witness the acceptance of the nomination statement. (Refer to Sections 67, 68, 69, and 70 of *The Local Government Elections Act, 2015*)

When the completed nomination papers are filed with the Returning Officer or designate, a receipt shall be issued to the candidate or their Agent on receiving the nomination papers.

Criminal Record Check Required

The Town of Nipawin Criminal Record Check Bylaw No. 1085/19 requires that:

- Every candidate for municipal office shall obtain a criminal record check at their own expense.
- The criminal record check shall be included with and form part of the nomination form submitted by the candidate for municipal office.

Posting (§ 67 – LGEA, 2015):

All nomination papers filed with the Returning Officer or designate are open to inspection by any person. Copies will be posted in the Town of Nipawin Civic Offices and any public member requesting a copy of the nomination paper will be provided with one.

Withdrawal (§ 76 – LGEA, 2015):

Persons who have been nominated may withdraw their nomination at any time during the nomination period, up to the close of nominations. The requirement to withdraw is for the Returning Officer to receive a written request to withdraw signed by the nominee and witnessed by two people or by the Returning Officer or Deputy Returning Officer.

A request to withdraw a nomination must be filed with the Returning Officer or Deputy Returning Officer by 4 p.m. on Thursday, October 8, 2020 at the Town of Nipawin Civic Offices.

Name Order on Ballot (§ 91 – LGEA, 2015):

Names and occupations of all duly nominated candidates will be arranged in alphabetical order by surnames on the ballot for the office of Councillor.

Upon candidate request, the ballot shall show in brackets:

- a name by which he/she is commonly known
- her/his affiliation with a voters' organization or the word "Independent"

Candidate information printed on ballots will be based on the information provided on the Candidate's Acceptance Form.

Advertising and Promotional Activities

Election/Candidacy Advertisement (§ 182 – LGEA, 2015):

As referenced in Section 182 of the *Local Government Election Act, 2015*, every advertisement having reference to an election or to promote a candidate, **shall bear on its face:**

- the name of the candidate on behalf of whom the advertisement is distributed, and
- the name of the person who has authorized its printing, display and/or distribution.

Permitted and Prohibited Campaign Sign Locations

As referenced in the Town of Nipawin Elections Policy, election campaign signs **are permitted** on Town-owned vacant lots only and on Town boulevards subject to the following conditions:

- signs shall not exceed a face area of .60 sq. meters.
- signs must be placed in a manner so as not to create an obstruction to vehicle or pedestrian traffic or a hazard to public safety.
- Signs on boulevards must be set back 4.0 meters from the corner where the street lines intersect.
- Signs are restricted to a height not exceeding 1.0 meters.
- Signs are prohibited on centre medians.
- Signs must be removed within 7 days following Election Day.

Election campaign signs **are prohibited** on power poles, street light standards or traffic-related signs and poles that are located in the centre medians or traffic islands. Election campaign signs **are also prohibited** within 100 meters of the building in which, and during the hours an

Advance Poll, Regular Poll or a Special Poll is being held. Maps have been attached illustrating the 100-meter buffer around the polling locations.

At Polls

No candidate, agent or any other person shall:

- canvas or solicit votes in the polling place or within 100 meters of the building where the poll is held
- make any communication to a person intending to vote other than through the Deputy Returning Officer
- No person shall directly or indirectly induce a person to display their ballot in a manner that reveals how they have voted.

Opportunities to Vote

An opportunity to vote in an **Advance Poll** shall be held at the following location in order to allow voters to cast their votes prior to Election Day:

- The Town of Nipawin Civic Offices (Council Chambers) at 210 Second Avenue East
Please watch the Town of Nipawin website and The Journal for time and date.

The Regular Poll will take place on Monday, November 9, 2020 from 9:00 a.m. to 8:00 p.m. at the Evergreen Centre (300 Evergreen Drive).

The regular polling place is accessible to persons who use mobility assisted devices.

A **Special Poll** will be established for voters who are residents of Pineview Lodge (400 – 6th Avenue East) and/or patients of the Nipawin Hospital.

Please watch the Town of Nipawin website and The Journal for date and time.

Mail-in Ballots may be utilized by voters receiving care in a hospital, personal care facility or similar institution, or who anticipate being absent from the town during the Advance Poll and on Election Day. (Refer to the current Town of Nipawin Mail-in Ballots Bylaw)

Election Day

Agents at Polls (§ 103 – LGEA, 2015):

Candidates are permitted to have not more than two duly authorized agents present at the polling place during the hours that the poll is open for the purposes of voting. An Appointment of Candidates' Agent form and a Declaration of Candidate or Agent form must be provided.

Challenging a Voter (§ 112 – LGEA, 2015):

During the time the polls are open, a candidate or candidate's agent may object to the entitlement of any person intending to vote. If the agent believes that the voter is not entitled to vote and objects, the Deputy Returning Officer will re-confirm the information sworn on the registration

form with the voter. If the voter indicates that the declaration is correct, the objection raised by the agent will be noted on the registration form, the name of the agent raising the objection will be noted and the entry will be initialed by the Deputy Returning Officer.

Should the voter indicate that he or she made a mistake in completing the registration form and is not entitled to vote, the information will be noted on the registration/poll book form and the voter will not be issued any ballots and will forfeit the right to vote.

Who Can Vote (§ 36 – LGEA, 2015):

A person can be registered as a voter in the Town of Nipawin Municipal Election if she/he:

- is a Canadian citizen on the day of the election
- is the full age of 18 years on the day of the election
- has resided in the municipality or on land now in the municipality for at least three consecutive months immediately preceding the day of the election or
- is the owner of assessable land situated in the municipality or of land now situated in the municipality for at least three consecutive months immediately preceding the day of the election; and
- has resided in Saskatchewan for at least six consecutive months immediately preceding the day of the election

Election Results (§ 134 – LGEA, 2015):

Each candidate **or** one of her/his agents may be present during the count of the votes.

The Deputy Returning Officer will count the votes and record the required information on a written statement of results. All required materials will be delivered by the Deputy Returning Officer to the Returning Officer for his declaration of the election results.

A candidate, or candidate’s agent, may object to the rejection of a ballot, or of the Deputy Returning Officer’s refusal to reject any ballot found in the ballot box.

Important Dates for Candidates

- Call for Nomination begins on Tuesday, September 22, 2020
- Final Day/Time for Filing Nominations is Wednesday, October 7, 2020 at 4 p.m.
- Final Day/Time for Withdrawal of Nomination is Thursday, October 8, 2020 at 4 p.m.
- Special Poll for residents of Pineview Lodge and/or patients of the Nipawin Hospital at the Pineview Lodge. *Date to be determined.*
- Advance Poll at the Town of Nipawin Civic Offices. *Date to be determined.*
- General By-Election Day at the Evergreen Centre on Monday, November 9, 2020 between the hours of 9:00 a.m. and 8:00 p.m.

The Municipalities Act - Chapter M-36.1

PART V Municipal Organization and Administration

DIVISION 5 Duties and Oath of Office

General duties of councillors

92 Councillors have the following duties:

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (b) to participate in developing and evaluating the policies, services and programs of the municipality;
- (c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- (d) to ensure that administrative practices and procedures are in place to implement the decisions of council;
- (e) subject to the bylaws made pursuant to section 81.1, to keep in confidence matters discussed in private or to be discussed in private at a council or council committee meeting until discussed at a meeting held in public;
- (f) to maintain the financial integrity of the municipality;
- (g) to perform any other duty or function imposed on councillors by this or any other Act or by the council.

General duties of mayor or reeve

93(1) In addition to performing the duties of a councillor, a mayor or reeve has the following duties:

- (a) to preside when in attendance at a council meeting unless this Act or another Act or a bylaw of council provides that another councillor is to preside;
 - (b) to perform any other duty imposed on a mayor or reeve by this or any other Act or by bylaw or resolution.
- (2) The mayor or reeve is a member of all council committees and all bodies established by council pursuant to this Act, unless the council provides otherwise.

POLLING LOCATIONS – 100 Meter Buffers

