

CITY OF YORKTON 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**

Known as ‘The General Election Bylaw’

Disclaimer:

This information has been provided solely for research convenience. Official bylaws are available at the Office of the City Clerk and must be consulted for purposed of interpretation and application of the law.

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Amended by
Bylaw No.
13/2020,
15/2020,
10/2024

**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.

4.4 When possible, on the city’s official election website.

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

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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~~ 60 days before the date that the Nomination papers are submitted to the Returning Officer.

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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~~ 50 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 I**)
- 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 F (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
Bylaw No.
15/2020

Amended by
Bylaw No.
10/2024

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:

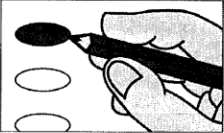
- 4.1 I am aware of the spending limits in Part III of the General Election Bylaw and I confirm that I have not exceeded the total election expenses set out in the Bylaw.
- 4.2 I am aware of the contribution disclosure requirements in Part III of the General Election Bylaw and I confirm that I have disclosed 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 'C'

Election Training Canada Demonstration 2016 December 30, 2016		
Instructions Making Selections  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. 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.	BEST AUTOMOBILE MANUFACTURER Vote for no more than ONE (1) manufacturer. <input type="radio"/> BMW <input type="radio"/> MERCEDES <input type="radio"/> GENERAL MOTORS <input type="radio"/> HONDA <input type="radio"/> JAGUAR <input type="radio"/> FORD	QUESTION 1 Are you in favour of a three day weekend? <input type="radio"/> Yes <input type="radio"/> No
	BEST VOCAL ARTIST Vote for no more than TWO (2) artists. <input type="radio"/> FRANK SINATRA <input type="radio"/> ELVIS <input type="radio"/> BUDDY HOLLY <input type="radio"/> BARRY WHITE <input type="radio"/> STEVIE RAY VAUGHAN	QUESTION 2 Should pay increases be issued every six months rather than yearly? <input type="radio"/> Yes <input type="radio"/> No
	BEST ICE-CREAM FLAVOUR Vote for no more than ONE (1) flavour. <input type="radio"/> CHOCOLATE <input type="radio"/> STRAWBERRY <input type="radio"/> VANILLA	

Typ 01 Seq 0001 Spl 01 Ballot Style #1

Appendix 'D'

58

L-30.11 REG 1

LOCAL GOVERNMENT ELECTION, 2015

**Li:
Id**

FORM AA

[Subsection 7(2) and Section 10 of the Regulations]

Deputy Returning Officer's Statement of Results for Voting Machines

(Complete one)

Mayor/Reeve: _____ of _____ (Municipality)

Councillor: _____ of _____ (Municipality) Ward/Division No. _____ (If applicable)

Board Member: _____ School Division No. _____ Subdivision No. _____ (If applicable)
--

Board Member: _____ Separate School Division No. _____ Subdivision No. _____ (If applicable)

for the election held on the _____ day of _____, 20____.

Names of Candidates

Number of Votes or Acclamation/Elected

BALLOT ACCOUNT	
Ballots	Number
Counted	
Rejected	
Ballot on which no vote marked	
Ballot on which voter made more votes than entitled	
Spoiled and Declined	
SUBTOTALS	
Unused ballots	
TOTAL	
Ballots supplied	

1-20 grandson

1-21 granddaughter

24 Dec 2015 cL-30.11 Reg 1.

The number of voters who have voted as indicated in the poll book is _____.

I certify that the above statements are correct.

Dated this _____ day of _____, 20____.

(Deputy Returning Officer)

Note:

- A separate Statement of Results must be completed for each office.
- This form is for summing votes when counting ballots with **voting machines only**.
- In the case in which ballots are counted manually (counted by hand), use Form Z.

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

- Notary Public
- Commissioner for Oaths
- Doctor
- Lawyer
- Postmaster
- Teacher
- Law Enforcement Officer
- Spouse, family member, or member residing in the same household or residence that is over the age of 18 years old.

Appendix 'F'

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

Declaration of Absentee Voter:

☐ I request that a mail-in ballot be issued to me.

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.

Appendix 'H' (Page 1 of 3)

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

Appendix 'H' (Page 2 of 3)

- 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

Appendix 'H' (Page 3 of 3)

- 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.

Appendix 'I'

LOCAL GOVERNMENT ELECTION

Application by Voter to Vote at Residence

To the Returning Officer for the:

CITY OF YORKTON;

I, _____, being a voter pursuant to *The Local Government Election Act, 2015* apply pursuant to section 30 of that Act to vote at the municipal election now pending. I am entitled to vote pursuant to section 30 of the Act because:

(check one)

- ☐ I am unable to attend at an established polling place to vote by reason of disability or limited mobility; or
- ☐ I am a resident caregiver of a voter who is unable to attend at an established polling place to vote by reason of disability or limited mobility and, because of the care required by that voter, I am unable to attend at an established polling place to vote during the time when polls are open for voting.

Dated this ____ day of _____, 202_.

(Address of Applicant – Please print)

(Signature of Applicant)

(If applicant is resident caregiver, include address of voter with disability or limited mobility)

Note: Candidates and their agents may choose to attend at homes/bedside for voters who cannot attend a poll in person pursuant to section 31 (3) of the *Local Government Election Regulations, 2015*

Part II

I, _____, the undersigned, certify that the applicant named
(Name of Witness – Please print)

in Part I :

- a) Is personally known to me;
- b) Resides in the municipality; and
- c) Is (Check one):
 - ☐ Unable to attend at an established voting place to vote by reason of disability or limited mobility; or
 - ☐ A resident caregiver of a voter who is unable to attend at an established polling place to vote by reason of disability or limited mobility.

Dated this ____ day of _____, 2024.

(Address of Witness – Please print)

(Signature of Witness)

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Remarks: _____

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.