

# 2016 Civic Election

## Candidates Information Booklet



Running for Municipal Office

*Humboldt*  
SASKATCHEWAN

## FORWARD

This booklet is intended as a guide to assist persons interested in becoming a candidate in the 2016 Civic Election (on October 26, 2016) for the office of Mayor or Councillor.

The legal structure and framework within which cities must govern themselves and make decisions that they consider appropriate and in the best interests of city residents is a provincial act of the Saskatchewan Legislature known as the *Cities Act*.

In Saskatchewan, City elections are governed by *The Local Government Election Act, 2015*, particularly those provisions which have a direct impact on the activities of candidates. However, persons reading this material are cautioned that it has no legal sanction and is intended for guidance only. Readers are advised to consult *The Local Government Election Act, 2015* for interpretation of the law.

Accepting elected office is the highest order of public service and offers the opportunity to significantly influence the quality of life in your community. It is a serious commitment and should not be taken lightly. If, after consideration and consultation with your family, who will most certainly be affected, you are willing to accept the challenge and demands of elected office, please complete your nomination papers and file them with the Returning Officer during the nomination period.

For further information regarding the 2016 Municipal Election, please contact the Returning Officer, Mike Ulriksen, at 682-2597 extension 205.

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## BACKGROUND

### About Council

The Canadian Constitution delegates to the provinces responsibility for “municipal institutions.” In turn, the provinces, including the Province of Saskatchewan, through their legislatures, then delegate certain authority to local governments. A local government, including the City of Humboldt, can only act on matters which authority has been delegated by the Province.

The Provincial Acts referred to most often, and the ones which you should most familiarize yourself with, is the *Cities Act* and the *Local Government Election Act, 2015*. Actions of City Council must be done by bylaw. All other actions must be authorized by Council resolution (sometimes this is in the form of a formal council policy, and other times it is a simple resolution). This does not mean a resolution is required for every administrative action undertaken in the day to day operations of the services provided by the City of Humboldt.

### Role of Council

The role of City Council is to establish policy for the municipality. City Council sets the course; the role of City staff is to ensure that the course is followed by implementing policy established by Council. Accordingly, City Council must have the support and assistance from city staff. Staff can provide insight as to how and why existing policies have developed and provide options and considerations for future policy development. Many staff members, including the Senior Management Team, are highly trained and educated in the field in which they specialize, and have dedicated their careers to public service for the community in which they live.

### Role of a Council Member

Almost all decisions of Council are made in a public forum. As one vote out of a total of seven, your influence will depend largely on your ability to persuade other members of Council of your view, in that public forum. As a single member of Council, you will not have the power to commit the City to a particular course of action, or even to direct the activities of any particular City employee. However, as a member of Council you will have an opportunity to significantly influence the future of your community.

Any promises made during your election campaign (or after your election) can only be carried out if you can convince a majority of your fellow members of Council that it is a good idea. The best way to find out what the job of a Council Member is all about is to spend a little time reading Council agendas and minutes, and attend some Council meetings and public hearings. Agendas and minutes are available at [www.humboldt.ca](http://www.humboldt.ca).

Other resource materials on local government include a series of books by George Cuff. Mr. Cuff provides advice and counsel to rural and urban governments, provincial departments and agencies and other groups involved in some aspect of governance and public service. His work has become more focused over time on the art of governance and the elements that help organizations become more effective.

Cuff has published over 350 articles as well as six books on local government. He has three “how to” books (Cuff’s Guide for Municipal Leaders Volumes One and Two) as well as his latest “Executive Policy Governance” which was published in 2014.

*Municipal World* is a magazine published monthly which provides the latest developments in the municipal field across the country. More information can be found at [www.municipalworld.com](http://www.municipalworld.com).

The Saskatchewan Urban Municipalities Association (SUMA) serves as the collective unified voice of urban governments ensuring municipalities’ interests are represented to other levels of government (federal & provincial). More information on the Association can be found at [www.suma.org](http://www.suma.org).

## Time Commitment

The time commitment required by a Council member can be substantial. All members of Council spend many hours preparing for the meetings and events, by reading agenda packages and other background material, researching issues, interacting with residents and electors, and dealing with administrative staff at the City.

Council Members will be required to attend:

- Regular and Special Meetings of Council and Public Hearings
- Meetings of Council Standing Committees or other boards or agencies to which they are appointed as Council's representatives
- Conferences, conventions, seminars and workshops for training or policy development
- Numerous public events representing and promoting the City of Humboldt

## Mayor of the City of Humboldt

The Mayor is the chief elected official of the City, a member of City Council and an ex-Officio member of all Committees of City Council. In addition to performing the duties of a Councillor the Mayor has the following duties:

- a) to preside when in attendance at a council meeting, unless the *Cities Act* or a bylaw of council provides that another Councillor is to preside;
- b) to perform any other duty imposed on a Mayor by the *Cities Act* or by City bylaw.

The Mayor is elected for a **term of four (4) years**. The position is considered to be part time and the incumbent receives remuneration in the amount of \$36,262.37 annually with such remuneration to be paid in monthly installments of which one-third is non-taxable.

## Councillor of the City of Humboldt

The elected council of the City of Humboldt is the governing body of the municipality and is comprised of the Mayor and six (6) Councillors. City Council is an autonomous legislative (law-making) and administrative body. In general terms, it is responsible for promoting the peace, order and good government of the City.

The duties of Councillors as defined in the *Cities Act* are:

- to represent the public and to consider the well-being and interests of the city;
- to participate in developing and evaluating the policies, services and programs of the city;
- to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- to ensure that administrative practices and procedures are in place to implement the decisions of council;
- to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
- to maintain the financial integrity of the city;
- to perform any other duty or function imposed on Councillors by the *Cities Act* or any other Act or by the council.
- From time to time City Council may also sit as an appeal board under provincial legislation and provide an impartial hearing on a resident's appeal.

All Councillors are elected for a **term of four (4) years** and receive remuneration of \$9,598.92 annually with such remuneration to be paid in monthly installments of which one-third is non-taxable. Also, all members of City Council are paid additional remuneration in the amount of \$146.11 per day for attending on any business of the City that is not part of the member's regular duties.

## NOMINATION OF CANDIDATES

### Nominations

Nomination papers may be filed with the Returning Officer or his/her designate at City Hall or Uniplex at any time during normal office hours (9:00 A.M. to 4:00 P.M.) from Wednesday, September 7, 2016 to Wednesday, September 21, 2016 (Saturday and Sunday the office is closed). Please see the "Nomination Papers" Section for important information on the form and content of Nomination Papers.

## QUALIFICATIONS OF CANDIDATES

### Municipal Candidates

A person is qualified to be nominated for the position of Mayor or Councillor if that person:

- on the day of the election, is at least 18 years of age; and
- is a Canadian citizen (at the time he or she submits their nomination papers);
- is a Saskatchewan resident and has so resided for at least six (6) months (at the time he or she submits their nomination papers); and
- is a resident of the City of Humboldt and has so resided for at least three (3) months (at the time he or she submits their nomination papers).

None of the following persons are eligible to be nominated or elected to hold office as a member of council:

- a judge of a court; or
- an auditor or solicitor of the municipality.

No person is disqualified from being nominated for office as a member of council by reason of having an interest in a contract with the City. Any employee of the City of Humboldt, who may be interested in being nominated for the office of Mayor or Councillor, must first obtain a leave of absence in accordance with clause 2-54(1)(a) of *The Saskatchewan Employment Act*. If an employee on leave of absence is successfully elected, the employee is deemed to have resigned from his or her position on the day before the day on which he or she is declared elected. Unsuccessful employee candidates are entitled to resume their employment when the leave of absence expires.

## NOMINATION PAPERS

### Application

Nomination papers for all offices may be obtained from City Hall and the Uniplex.

To be nominated for an elected position a person must file a nomination paper with the Returning Officer or the Associate Returning Officer, or his/her designate, either personally, or by agent during the specified nomination period. (See *Summary of Important Dates* section for information on the nomination period). There is no provision for filing nomination papers by fax or email.

### Requirements

- The nomination paper must state the name and street address of the person being nominated and the office for which they are being nominated.
- For the office of Mayor, the application must be signed by at least **5** electors of the City.
- For the position of Councillor, the application must be signed by at least **5** electors of the City.
- The nomination paper is not valid unless the candidate's acceptance statement is signed by the person being nominated and witnessed by two persons.

The paper must state the name and street address of each nominator.

## Relevant Provisions

- Only one person can be nominated for the election on each nomination paper.
- An elector may sign the nomination papers of more than one person.
- No candidate can nominate himself/herself.
- The onus to file a bona fide nomination paper is on the person being nominated.
- No person can be nominated as both Mayor and Councillor of the City.

## Filing Nomination Papers

Nomination papers for the offices of:

- a) Mayor of the City of Humboldt;
- b) Councillor of the City of Humboldt;

will be received by the Returning Officer or his/her designate at City Hall, 715 Main Street or Uniplex at 619-17<sup>th</sup> Street during normal office hours (9:00 a.m. – 4:00 p.m.) from Wednesday, September 7, 2016 to Tuesday, September 20, 2016 (not including Saturday and Sunday) and on Nomination Day, Wednesday, September 21, 2016, from 9:00 a.m. until 4:00 p.m., when nominations close.

## Withdrawal of Nomination

A person who has been nominated may withdraw his/her nomination within 24 hours of the close of nominations by filing with the Returning Officer a written request to that effect signed by the nominated person and by either two witnesses or the Returning Officer, Associate Returning Officer, or the Nomination Officer.

A request to withdraw a nomination must be filed with the Returning Officer or Associate Returning Officer prior to 4:00 p.m. on Thursday, September 22, 2016.

## ADVERTISING

The following sections of *The Local Government Election Act, 2015* apply concerning promotional materials:

“182 (1) In this section:

- (a) “advertisement” means any of the following that refers to any election or promotes the candidacy of a particular person:
  - (i) a visual publication, display or representation consisting of images or text;
  - (ii) any audio publication or representation;
  - (iii) any advertisement, hand bill, placard, poster, circular or circular letter pamphlet;
  - (iv) any electronic or digital display;
  - (v) any radio or television broadcast that refers to any election or promotes the candidacy of a particular person;
- (b) “distribute” means to do any of the following:
  - (i) print, or produce by any other process;
  - (ii) publish;
  - (iii) distribute by mail or otherwise;
  - (iv) post;
  - (v) disseminate or broadcast.

(2) 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:

- (a) the name of the candidate on behalf of whom the advertisement is distributed; and
- (b) the name of the person who has authorized its printing, display and distribution.”

“176 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:

- (a) canvass or solicit votes;
- (b) persuade or compel a person to vote or refrain from voting;
- (c) make any communication to a person regarding any matters relating to voting or the election, other than through the deputy returning officer; or
- (d) display, distribute or post a campaign sign, a specimen ballot for a person whose name is on the ballot for 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 this *Act*.”

“177 No person shall directly or indirectly induce a person to display his or her ballot in a manner that reveals how he or she has voted.”

***In addition, please note that candidates and agents must also comply with the City’s Sign Bylaw regulating postering and signs which states as follows:***

Election signs up to three square meters in area may be erected; where:

- in the case of municipal elections, signs are not erected more than one month before the date of the election;
  - i) Election signs must be placed a minimum of two (2.0) meters from the curb on a road, street or provincial highway.
  - ii) Election signs must be removed by the end of the third day following the election.
  - iii) No election sign shall be placed on any City-owned or controlled property, including streets, boulevards and sidewalks.

## PENALTIES FOR OFFENCES

“179 (1) No person shall sign a candidate’s acceptance form that contains a false statement.”

(2) Every person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than \$1,000.00.”

“184 Every person who contravenes any provision of this *Act* or the regulations for which no other penalty is provided is guilty of an offence and liable on summary conviction to a fine of not more than \$5,000, to imprisonment for a term of not more than two years or to both.”



## VOTER QUALIFICATIONS

### In Municipal Elections

A person is qualified to vote in a municipal election for the offices of Mayor and/or Councillor if that person:

1. is a Canadian citizen (on Election Day); and
2. is eighteen (18) years of age or older (on Election Day); and
3. is a Saskatchewan resident and has so resided for at least six (6) months immediately prior to Election Day; and
4. is a resident of the City of Humboldt and has so resided for at least three (3) consecutive months immediately prior to Election Day; OR is the owner of assessable land in the City and has done so for at least three (3) consecutive months immediately prior to Election Day.

*Note: Please consult Section 36 of The Local Government Election Act, 2015 for purposes of interpretation of these requirements.*

### Voter Registration

Electors must provide election officials with proof of identification and residence. A person is not entitled to vote unless he or she:

- completes a Voter Declaration Form; and
- proves identity and residence.

The following table provides options for proof of identity:

OPTION 1	OPTION 2	OPTION 3
<i>Photo ID with street address included</i>	<i>2 non-photo ID</i>	<i>A qualified elector vouches for elector with no ID</i>
	<i>1 can show name only</i>	
	<i>1 or both can show name and address</i>	

A passport is **NOT** an acceptable form of Photo ID as it does not include the elector's street address. A Driver's License is the most acceptable form of ID as long as it has the elector's street address printed on it.

### Rules of Residence

The following is a summary of the rules of residence, as set out in *The Local Government Election Act, 2015*:

- Rule #1: The residence of a person is the place in which the person's habitation is fixed and to which, when the person is absent from that place, he or she has the intention of returning.
- Rule #2: A person who is temporarily absent from the place where the person's habitation is fixed does not lose his or her residence.
- Rule #3: No person, while he or she remains in Saskatchewan, loses his or her residence until he or she has acquired another residence.
- Rule #4: No person has more than one residence in Saskatchewan and, if the person has more than one home in Saskatchewan, he or she shall elect one home as his or her residence.

*Note: Please consult Section 3 of The Local Government Election Act, 2015 for purposes of interpretation of these rules.*

## Commonly Asked Questions about the Eligibility to Vote

A common question asked concerning the qualification of electors involves the eligibility of St. Peter's College students to vote in Humboldt while attending school. Students will be eligible to vote during the Humboldt election if they have lived in Saskatchewan for six months and have resided in Humboldt for three months immediately prior to Election Day. These students would also be eligible to vote at their normal residences (i.e. their hometown) and, therefore, will have to choose at which location they wish to vote. They cannot vote at both locations.

Finally, although the general rule is "one vote per voter", one exception to this rule occurs where a person is a qualified elector of a municipality in which he or she resides and is an elector of another Saskatchewan municipality in which he or she has been the owner of assessable land for at least three months, immediately prior to Election Day. This person may vote in both municipalities.

## VOTING AND ELECTION DAY

### Polling Facilities

Accessibility is an important issue and all polling facilities are wheelchair accessible. Three (3) types of polls will be used during the upcoming election. These include Regular Polls, Advance Polls and Mobile Polls.

### Regular Polls

This is where most voters will cast their ballots on Election Day. In the City of Humboldt, three polling areas have been established with polling facilities conveniently located for voters within those areas. A map of Polling Areas and a list of all Polling Places have been attached for your convenience (Appendix A).

***Election Day is Wednesday, October 26, 2016***, and all Regular Polls will be open from 9:00 a.m. to 8:00 p.m.

### Advance Polls

The advance poll is available for voters who are physically disabled, have been appointed as election officials or anticipate being unable to vote on Election Day. The advance poll will be conducted on the following dates and locations:

***Thursday, October 20, 2016, from 9:00 a.m. to 8:00 p.m. – Meeting Room at the Uniplex***  
***Saturday, October 22, 2016 from 1:00 p.m. to 7:00 p.m. – Caleb Village Condos***

### Mobile Poll

In addition to the above, a mobile poll is available for voters who are unable, because of a physical incapacity or limitation in mobility, to attend an established polling facility. In which case, election officials will go to the voter's residence and allow that person the opportunity to cast his/her ballot.

*The mobile poll is available by application only.*

For the upcoming election, all applications must be received by the Returning Officer or Associate Returning Officer by 4:00 p.m. on Friday, October 14, 2016. The mobile poll will be conducted, as scheduling will allow, on Election Day. Applicants will be advised (either in writing or by phone call) of the specific time when they may expect election workers to attend at their residence.

*Note: Unlike other polls, candidates and their agents are not allowed to attend the Mobile Poll. However, a list may be obtained from the Returning Officer upon written request.*

## FORM OF BALLOTS

The ballot for all offices will contain the names and occupations of all duly nominated candidates; arranged in alphabetical order of their surnames.

*The Local Government Election Act, 2015* requires that where a candidate requests, the ballot shall show in brackets:

- a name by which the candidate is commonly known

The information printed on the ballots respecting the candidates will be based on the information provided on the candidate's acceptance form. In order to ensure ballots are printed correctly, candidates are requested to properly complete the acceptance form.

## CANDIDATES' AGENTS

The candidate and up to two of his or her agents may be present in each polling place during the hours the poll is open. The candidate or one of his or her agents is allowed to be present in the poll during the count of the vote.

An "Appointment of Candidate's Agent" form must be completed by candidates for each agent. Copies of the form are available from City Hall and the Humboldt Uniplex. The agent must present the appointment form to the Deputy Returning Officer at the poll and then make a declaration before the Deputy Returning Officer. Once the agent makes the required declaration, he or she is permitted to be at the poll in an area designated by the Deputy Returning Officer where 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. An agent may, when the polls are open, object to the entitlement of any person intending to vote, if the agent has reason to believe the person is not entitled to vote. The deputy returning officer in such cases will re-confirm with the voter that the information he or she has sworn on the registration/poll book form is correct.

If the voter indicates that the declaration is correct: (a) the objection raised by the agent will be noted in the poll book along with the name of the agent raising the objection, and (b) 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.

At the close of the poll, a candidate or his or her agent may observe the counting of the ballots, but shall not assist or handle the ballots in any way. An agent may object to the rejection or the refusal of the deputy returning officer to reject any ballot found in the ballot box, but it is the deputy returning officer who determines whether or not the ballot is to be counted.

In the case of an objected to ballot, the deputy returning officer shall:

- (a) number the objected to ballot on the reverse side, and
- (b) record the number of the objection in the registration/poll book form,
- (c) indicate that the ballot was the subject of an "objection to the rejection of the ballot" or "objection to the counting of the ballot" whichever is applicable; and
- (d) shall also note whether the ballot was accepted or rejected.

Candidates and their agents must situate themselves and act in accordance with the deputy returning officer's instructions. They must not visit with voters while polls are open nor touch the ballots during counting.

## COUNTING OF BALLOTS

The deputy returning officer shall, in the presence of candidates or their agents, open the ballot boxes, examine each of the ballots and reject any ballot which:

- does not have the initial of the deputy returning officer on the reverse, unless he or she is satisfied that the ballot is one that was delivered by the deputy returning officer to an elector intending to vote and the omission of the initials was inadvertent in which case the deputy returning officer shall initial the ballot and count the ballot as though it were initialed.
- has more votes indicated than the voter is entitled to make (only one mark for mayor, up to six marks for Councillor).
- has anything written or marked on it so as to identify the voter.
- has been torn or defaced or otherwise treated by the voter so as to identify the voter.
- Has no mark at all.

Ballots will not be rejected because the “X” is out of or partly out of the proper space provided for marking the “X” or if the ballot is marked with other than an “X” as **long as the mark clearly indicates an intent by the voter to vote for the candidate opposite whose name the mark is placed.**

Once all ballots have been reviewed and the rejected ballots removed, the ballots will be counted and the total number of votes for each candidate shall be placed on the “statement of results” form.

### Request for Recount

Any elector or candidate in the municipality in which the vote was taken, may request a recount after the returning officer has declared the official results of the vote by delivering to the returning officer, within four business days of the declaration of the results of the vote, a notice in the prescribed form requesting a recount if the difference between the number of votes cast for any elected member, and the candidate having the next highest number of votes is less than the number of ballots “counted but objected to” plus all rejected ballots (except those on which no vote was made).

## SUMMARY OF IMPORTANT DATES

### Nomination Day

***Nomination day is Wednesday, September 21, 2016***

The Returning Officer will place an advertisement in the Humboldt Journal and the East Central Trader on Wednesday, August 31, September 7, and 14, 2016 and Thursday, September 1, 8 and 15, 2016 respectively, calling for nominations. Nomination papers may be filed with the Returning Officer or his/her designate at City Hall at 715 Main Street or Uniplex at 619-17<sup>th</sup> Street at any time during normal office hours (9:00 a.m. to 4:00 p.m.) from Wednesday, September 7 to Tuesday, September 20 (Saturday and Sunday the office is closed) and on Nomination Day, Wednesday, September 21, 2016 from 9:00 a.m. to 4:00 p.m.

***Please note that the deadline for filing nomination papers is Wednesday, September 21, 2016, at 4:00 p.m.***

### Advance Polls

An advance poll will be available for eligible electors on the following dates:

***Thursday, October 20, 2016 – 9:00 a.m. to 8:00 p.m. at the Uniplex***  
***Saturday, October 22, 2016 – 1:00 p.m. to 7:00 P.M. at Caleb Village Condos***

### Mobile Poll

All applications for the mobile poll to attend at a voter's residence must be received by the Returning Officer or the Associate Returning Officer by 4:00 p.m. on Friday, October 14, 2016.

### Election Day

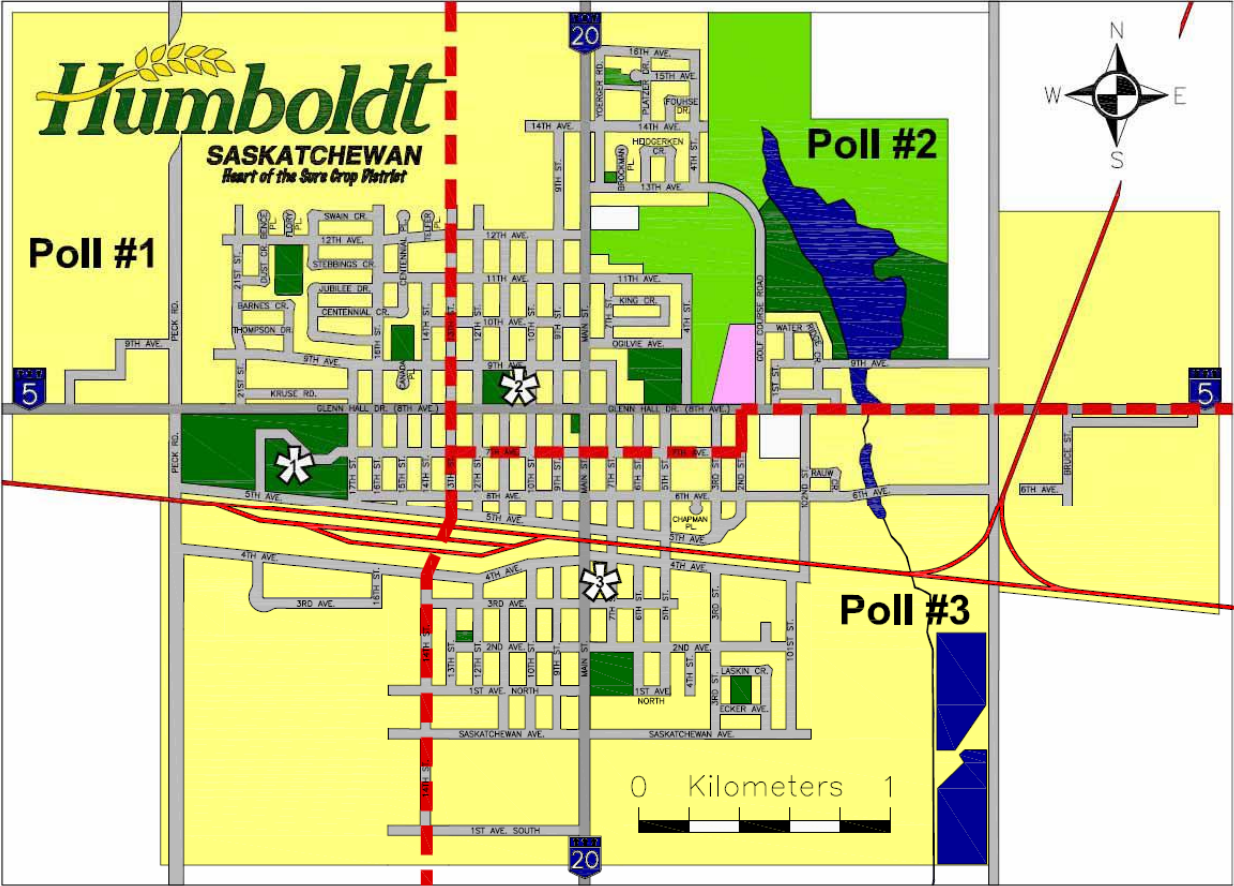
Election Day is Wednesday, October 26, 2016. All regular polls will be open from 9:00 a.m. to 8:00 p.m. Electors must vote at the poll that is designated for their home address.

### Election Results

Unofficial election results will be displayed on the main floor of City Hall following the close of polls at 8:00 p.m. on election night October 26, 2016.

Election results will be officially declared by the Returning Officer at 2:00 p.m., Thursday, October 27, 2016.

Appendix A



<u>Poll</u>	<u>Polling Place</u>	<u>Address</u>
Poll (1) *	Uniplex - Youth Centre	Highway #5 West
Poll (2) *	St. Augustine Parish Hall	8th Avenue & 10th Street
Poll (3) *	Royal Canadian Legion Hall	324 Main Street