

# BYLAW NO. 2020 – 02

## VILLAGE OF CANWOOD

### A BYLAW TO ESTABLISH A MAIL-IN BALLOT VOTING SYSTEM

The council of the Village of Canwood, in the Province of Saskatchewan, enacts as follows:

1. This bylaw shall be referred to as the “Mail-in Ballot Bylaw”.
2. In this bylaw:
  - a) Act means *The Local Government Election Act, 2015*;
  - b) Administrator means the administrator of the municipality;
  - c) Municipality means the Village of Canwood;
  - d) Regulations means *The Local Government Election Regulations, 2015*;
  - e) Returning Officer means
    - i. the administrator for the Village of Canwood;
    - ii. a person appointed by the council of the Village of Canwood pursuant to section 47 of *The Local Government Election Act, 2015*; or
    - iii. a person appointed by the Minister pursuant to section 62 of *The Municipalities Act*; and
  - f) Voter’s Registration Form means the Voter’s Registration Form and Poll Book, Form R of the Regulations modified as provided for within this bylaw.

#### Application Process

3. A voter who desires to vote by mail shall apply for a mail-in ballot kit, by filling out:
  - a) a Voter’s Registration Form, Form R, Schedule A appended hereto and forming a part of this bylaw; and
  - b) the Declaration of Person Requesting a Mail-in Ballot, Form C, Schedule B, appended hereto and forming a part of this bylaw.
4. Schedule A and Schedule B may be witnessed by either:
  - a) the returning officer;
  - b) the deputy returning officer;
  - c) Poll Clerk;
  - d) the enumerator; or
  - e) any other person authorized to sign oaths such as Commissioner of Oaths, Notary Public or lawyer.
5. A voter who desires to vote by mail shall apply in person or electronically no later than 15 (fifteen) days before election day.
6. Upon receiving the voter’s application, Schedule A and Schedule B, for a mail-in ballot, the returning officer shall note the date of approval in the appropriate area of Schedule A.

Certified a true copy of bylaw  
adopted by Resolution of Council  
on the 15 day of June 2020

  
Erin Robertson, ADMINISTRATOR

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#### **Receiving Ballots From Voters**

13. Voters are required to:
  - a) insert marked ballots into the ballot security envelope;
  - b) seal the ballot security envelope and insert it into the voter confirmation envelope;
  - c) date and sign the voter confirmation envelope;
  - d) seal the voter confirmation envelope and insert it into the outer envelope; and
  - e) return the ballot in its original form to the returning officer by regular mail, registered mail, courier, in person, or by any other means.
14. The returning officer shall ensure there is a ballot box which shall contain only mail-in ballots from the time ballots are received until the close of polls on election day.
15. Upon receipt of an outer envelope containing a voter's ballot on or before the close of poll on election day, the returning officer shall:
  - a) ensure the voter confirmation envelope is signed by the voter;
  - b) record in the poll book the date on which the envelope was received; and
  - c) deposit the voter confirmation envelope in a ballot box.
16. Ballots received after the close of polls on election day:
  - a) are deemed to be spoiled;
  - b) will remain unopened in the voter confirmation envelope; and
  - c) are given to the municipal administrator, consistent with sections 137 and 142 of the Act.
17. The returning officer shall designate at least one deputy returning officer or Poll Clerk who will receive mail-in ballots prior to the close of polls on election day.
18. Prior to the close of polls on election day, the returning officer shall deliver the following materials to the deputy returning officer designated pursuant to section 17 of this bylaw:
  - a) the ballot box containing all ballots received by mail;
  - b) the application kits from all voters who applied for a mail-in ballot; and
  - c) any ballots received by mail after the above materials have been delivered to the deputy returning officer.

#### **Objections By Candidates/Agents**

19. On election day, any candidate or candidate's agent may examine the application package filed by a person who applied for a mail-in ballot.
20. A candidate or a candidate's agent retains the right to object to a person's entitlement to vote if that person votes by mail.
21. On the objection of a candidate or an agent to the entitlement of a person voting by mail, the returning officer shall make necessary entries in the poll book consistent with sub-clause 112(1)(b)(c) and (d) of the Act.

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- a) write “deemed spoiled” on the outer envelope;
- b) record the date said ballot came into his or her possession;
- c) initial the entry; and
- d) retain it with, but not in, the ballot box described in section 142 of the Act, unless said ballot can be deposited in the ballot box without unsealing the ballot box.

33. This bylaw shall come into force and take effect on the date of the final approval of Council.



A handwritten signature in black ink, appearing to be "Robert Thompson", written over a horizontal line.

Robert Thompson  
Mayor

A handwritten signature in black ink, appearing to be "ER", written over a horizontal line.

Erin Robertson  
Administrator

Read a third time and adopted this 15<sup>th</sup> day of June, 2020.