

## Town of Lanigan

### Bylaw 11/2024

## A Bylaw to Establish a Mail-in Ballot Voting System

The Council of the Town of Lanigan in the Province of Saskatchewan enacts as follows:

### 1. Title

This bylaw shall be referred to as the “*Mail-in Ballot Bylaw*”.

### 2. Definitions

In this bylaw:

- (a) “**Act**” means *The Local Government Election Act, 2015*.
- (b) “**Declaration of Person Requesting Mail-in Ballot**” means the declaration in Form C, Appendix A attached to and forming a part of this bylaw.
- (c) “**Deputy Returning Officer**” means the Designated Election Official appointed to initial and distribute the ballots to the electors.
- (d) “**Election**” means election as defined in the Act.
- (e) “**Electoer**” means elector as defined in the Act.
- (f) “**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 individuals.
- (g) “**Regulations**” means “*The Local Government Election Regulations, 2015*”.
- (h) “**Returning Officer**” means the Chief Administrative Officer for the Town of Lanigan as per Section 47 of the Act and includes a Deputy Returning Officer who has been delegated any duty or power imposed or conferred on returning officers pursuant to the Act.
- (i) “**Voters Registration Form**” means the Voters Registration Form R, modified as required for in this bylaw, shown as Appendix B attached to and forming a part of this bylaw.

### 3. Purpose

- 3.1 The purpose of this bylaw is to establish a Mail-in Ballot voting process for the purpose of receiving ballots in an election.

- 3.2 Any elector who anticipates being unable to vote at an Advance Poll or on Election Day may apply to vote using a Mail-in Ballot.
- 3.3 Any elector who is receiving care in a hospital, personal care facility or similar institution situated within the Town of Lanigan, may vote in an election by mail-in ballot.

#### 4. Mail-in Ballot Process

- 4.1 An application to vote using a Mail-in Ballot:
  - (a) May not be submitted to the Returning Officer or other Designated Election Official in the case of a general election, prior to the Wednesday five weeks before nomination day.
  - (b) In the case of a by-election, prior to the Wednesday five weeks before the nomination day.
  - (c) Subject to 4.1(d) below, must be made in person and received by the Returning Officer for the Town or other designated Election Official on or before 4:00 p.m. on the day immediately preceding Election Day.
  - (d) Where the elector is in a hospital or personal care facility or similar institution, in order to accept the documents required in Section 4.2(a) and (b) and to check the proof of identity in accordance with 4.2(c), the Returning Officer or other Designated Election Official may attend that facility if the voter makes such a request.
- 4.2 Before being issued a Mail-in Ballot an elector shall:
  - (a) Complete the Declaration of Person Requesting Mail-in Ballot form.
  - (b) Complete a Voter's Registration Form.
  - (c) Subject to 4.2(d), establish his or her identity and residence to the satisfaction of the Returning Officer or Designated Election Official; if the facility administrator of the hospital or personal care facility completes the "Certificate of Identity and Residence" (see Appendix C attached hereto and forming a part of this bylaw), one piece of Voter Identification as listed in Appendix D attached hereto and forming a part of this bylaw, shall suffice as proof of identity.
  - (d) If the application is approved, the Returning Officer or other Designated Election Official shall enter the elector's applicable details in the Mail-in Register.
- 4.3 A Mail-in Ballot Register shall be kept by the Returning Officer and shall include the following information:
  - (a) The name and residential address of the elector;
  - (b) The temporary address of the elector (i.e. where the Mail-in Ballot is to be sent);
  - (c) The telephone number and email address of the temporary address;
  - (d) The date the Mail-in Ballot application is approved;



- (e) The date the completed Mail-in Ballot is sent to the elector;
  - (f) The date the completed Mail-in Ballot is received by the Returning Officer or other Designated Election Official;
  - (g) A notation whether the Mail-in Ballot was accepted, not accepted or spoiled; and
  - (h) Any other information considered appropriate by the Returning Officer.
- 4.4 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:
- (a) A ballot for the upcoming election;
  - (b) A ballot security envelope;
  - (c) A voter confirmation envelope;
  - (d) A self-addressed, postage paid mailing envelope for the return of the ballot to the Returning Officer; and
  - (e) Instructions for voting by Mail-in Ballot.
- 4.5 The elector:
- (a) Shall vote in accordance with the instructions enclosed with the ballot; and
  - (b) 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.
- 4.6 An elector who has voted shall:
- (a) Place the completed ballot in the ballot security envelope and seal the envelope;
  - (b) Place the sealed ballot security envelope in the voter confirmation envelope and seal the envelope;
  - (c) Date and sign the certificate on the voter confirmation envelope;
  - (d) Place the signed voter confirmation envelope in the mailing envelope and seal the envelope; and
  - (e) Return the mailing envelope to the Returning Officer by mail, courier or in person.
- 4.7 Upon receipt of the Mail-in Ballot the Returning Officer or other designated election official shall:
- (a) Record in the Mail-in Ballot register, the date and time the ballot is received;
  - (b) Open the mailing envelope; and
  - (c) Remove the voter confirmation envelope from the mailing envelope, and place the envelope in a portable ballot box designated for Mail-in Ballot.
- 4.8 After the closing of the polls on Election Day, the Returning Officer or other Designated Election Official shall:
- (a) 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;

- (b) If the certificate has not been properly completed, place the unopened voter confirmation envelope in a separate envelope for ballots that are not accepted;
- (c) 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; continued this process until all voter confirmation envelopes received have been opened;
- (d) Remove all the Mail-in Ballots from the ballot security envelopes;
- (e) Insert the Mail-in Ballots into the vote tabulating unit;
- (f) Complete the vote counting procedures as specified in the Act.
- (g) Record in the Mail-in Ballot register whether the Mail-in Ballot was accepted or spoiled.

**5. Receipt of Ballots**

- 5.1 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.
- 5.2 Mail-in Ballots received after the closing of the polls on Election Day are deemed to be spoiled ballots.

**6. Rights of Candidates and Agent**

- 6.1 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 polling place on Election Day.
- 6.2 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.

**7. Safekeeping of Election Materials**

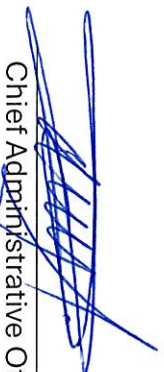
- 7.1 The Mail-in Ballots and forms and other election materials shall be retained and destroyed in accordance with Section 142 of the Act.

**8. Effective Date**


- 8.1 This bylaw shall come into force and take effect on the day of passing thereof.

  
Mayor

[SEAL]

  
Chief Administrative Officer

Introduced and read a first time this 23<sup>RD</sup> day of SEPTEMBER 2024, resolution # 2024-752  
Read a second time this 23<sup>RD</sup> day of SEPTEMBER 2024, resolution # 2024-753  
Unanimous agreement for all three readings the 23<sup>RD</sup> day of SEPTEMBER 2024, resolution  
# 2024-754  
Read a third time, and thereby approved, this 23<sup>RD</sup> day of SEPTEMBER 2024, resolution  
# 2024-755

  
\_\_\_\_\_  
Chief Administrative Officer



**APPENDIX A  
FORM C**

[Section 92 of the Act and clause 18(1)(a) of the Regulations]

**Declaration of Person Requesting Mail-in Ballot Declaration of Absentee Voter**

- I am qualified to vote in \_\_\_\_\_ Town of Lanigan \_\_\_\_\_;
- I have completed a Voter's Registration Form; and
- I request that a Mail-in Ballot be issued to me.

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/affirmation and by virtue of *The Canada Evidence Act*.

Date: \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature of Person Requesting Mail-in Ballot)

I 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.

Date this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature of returning officer or person authorized by bylaw to witness the signature of a person Requesting Mail-in Ballot)

**APPENDIX B**  
**FORM R**  
*[Subsections 96(2) and 121(2) of the Act]*  
**Voter's Registration Form and Poll Book**

Name: \_\_\_\_\_ (Print)

Address: \_\_\_\_\_ (Print)

Election held in: (complete as applicable) \_\_\_\_\_ of \_\_\_\_\_ (Municipality)

\_\_\_\_\_ School Division No.  
Subdivision No. \_\_\_\_\_ (If applicable)

\_\_\_\_\_ Separate School Division No.  
Subdivision No. \_\_\_\_\_ (If applicable)

Complete the following by placing an **X** in the box to the right of 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.  
(Choose one)

**Municipality Voters – excluding Rural Municipalities and Resort Villages**  
2. On the day of the election:  
(a) I: (complete one)  
 (i) have resided for at least three consecutive months immediately preceding the day of the election in or land now in the **Town of Lanigan**; or  
(Municipality)

- (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 or of land now in the municipality; and
- (b) I have resided in Saskatchewan for at least six consecutive months immediately preceding the day of the 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:  
 (i) \_\_\_\_\_ **School Division No.** \_\_\_\_\_; or  
 (ii) \_\_\_\_\_ **Separate School Division No.** \_\_\_\_\_; 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.

I declare that I am a voter entitled to vote in the Subdivision No. \_\_\_\_\_ of the \_\_\_\_\_ School Division/Separate School Division No. \_\_\_\_\_.\*

I declare that the information given by me with respect to the above statements is true in all respects.

Date this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Witness:

\_\_\_\_\_  
 (Deputy Returning Officer or Enumerator) \_\_\_\_\_ (Voter)

VOTED WITH RESPECT TO						
Mayor/Reeve	Councillor	School Board Member	Bylaw	Question	Sworn or Refused to Declare	Objection

REMARKS: \_\_\_\_\_ ENTRY NO. \_\_\_\_\_

\*Declaration statement to be used only if subdivisions are established in the school division/separate school division.



**APPENDIX C**

**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 \_\_\_\_\_ (Date)  
(Name of Person – Please Print)

**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 the facility noted above – Please Print)

\_\_\_\_\_  
(Position – Please Print)

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 authorised 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 D**  
**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
- 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
- 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