

City of Charlottetown, PEI
A Bylaw to Amend the City of Charlottetown Election Bylaw
Bylaw # 2018-08-C

BE IT ENACTED by the Council of the City of Charlottetown as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

- 1.1. This bylaw shall be known and cited as the “Election Amendment Bylaw.”

2. Purpose

The purpose of this bylaw is to amend the City of Charlottetown’s Election Bylaw (#2018-08) to incorporate recommendations from Elections PEI as to be consistent and compliant with the Municipal Election Regulations.

3. Authority

- 3.1. Pursuant to Part 5, Section 134 (1) – Revision of Bylaws of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.

4. Definitions

- 4.1. In this bylaw, any word and term that is defined in the *Municipal Government Act*, *Municipal Election Regulations*, and the *City of Charlottetown Election Bylaw* has the same meaning as in that Act or bylaw.

5. Part I – Interpretation and Application - of the City of Charlottetown Election Bylaw is hereby amended by the following:

- 5.1. Add new Section to read as follows:

‘Appointment of Municipal Electoral Officer’

Council shall by resolution, on or before the second Monday in May of each election year and at other times as required, appoint the Chief Electoral Officer of Prince Edward Island as the Municipal Electoral Officer, and the Deputy Chief Electoral Officer of Prince Edward Island as the Deputy Municipal Electoral Officer, to be responsible for the administration of the election.

Subject to the Act, and beginning November 7, 2022, the City of Charlottetown shall hold a general municipal election every fourth year on the first Monday in November.

- 5.2. Renumber subsequent sections.

6. Part II – Mobile Polling Stations – of the City of Charlottetown Election Bylaw is hereby amended by the following:

- 6.1. Delete following wording in Subsection 19.4 (b):

‘with the approval of the person in charge, and accompanied by an officer of the facility or nursing home ~~and not more than one agent representing each registered candidate, if any, who shall first be required to take the oath of secrecy~~, carry the ballot box, poll

book, ballot papers, and other necessary election documents from room to room in the facility, and take the votes of the persons who are qualified to vote in the polling station;'

6.2. Add new subsection 19.7 to read as:

'Voting at the Queen Elizabeth Hospital, and the Provincial Palliative Care Centre mobile polls shall be conducted on Election Day between the hours of 9:00 am and 1:00 pm.'

7. Part III – Mail-in Ballots – of the City of Charlottetown Election Bylaw is hereby amended by the following:

7.1. Section 20 (Definitions), delete subsection 20.1(c),(e),(l),(n) which relate to the Canadian Forces voting by Mail-in Ballot; reletter subsequent definitions.

8. Part IV – Administration - of the City of Charlottetown Election Bylaw is hereby amended by the following:

8.1. Delete the following wording in subsection 21.3, and

~~The Municipal Electoral Officer shall, immediately before the opening of the polling stations, provide a list of the names of persons who applied for and were issued mail-in ballots to:~~

~~a) the poll clerk at each polling station; and~~

~~b) on request, to the candidates and their agents~~

Replace with the following:

'Information to poll clerk (6) The municipal electoral officer shall, immediately before the opening of the polling stations, provide a list of the names of persons who applied for and were issued mail-in ballots to the poll clerk at each polling station.'

9. Part V – Members of the Canadian Forces - of the City of Charlottetown Election Bylaw is hereby amended by the following:

9.1. As the Canadian Forces have communicated with Elections PEI, Section 22 (22.1 through to 22.6) to be deleted.

9.2. Renumber subsequent sections.

10. Part VI – Qualification - of the City of Charlottetown Election Bylaw is hereby amended by the following:

10.1. Revise wording in Section 23 to read as:

An elector who ordinarily resides in the City and who is not subject to any disqualification set out in this Bylaw is qualified to vote at an election in accordance with this Part if that person's application for registration and mail-in ballot is received ~~in~~

~~writing or by facsimile transmission~~ by ~~5:00 p.m.~~ 6:00 p.m. at the office of the returning officer or Municipal Electoral Officer on or before the 13th day before polling day.

11. Part VII – Incarcerated Persons - of the City of Charlottetown Election Bylaw is hereby amended by the following:

11.1. Revise the time of day in subsection 28.4 from 5:00 p.m. to 6:00 p.m.

12. Part VIII – Coordinating Officer - of the City of Charlottetown Election Bylaw is hereby amended by the following:

12.1. Delete entire Section 30 (30.1 and 30.2) (again, relates to Canadian Forces).

12.2. Renumber subsequent sections.

13. Part IX – Envelopes - of the City of Charlottetown Election Bylaw is hereby amended by the following:

13.1. Revise subsection 33.5 (a) to read as:

‘the certificate envelope shall be endorsed by the ~~Returning Officer~~ **Municipal Electoral Officer** with the reason why it has been laid aside;’

13.2. Delete subsection 33.6:

~~The Returning Officer shall prepare a report giving the number and stating the reason why each certificate envelope was laid aside.~~

13.3. Renumber subsequent sections.

14. Part X – Accepting and Counting Mail-in Ballots - of the City of Charlottetown Election Bylaw is hereby amended by the following:

14.1. Revise subsection 34.1 to read as:

The ~~returning officer~~ **Municipal Electoral Officer** shall set aside a mail-in ballot if:

a) the elector's identification does not correspond to the application received at the office of the ~~returning officer~~ **Municipal Electoral Officer**;

14.2. Delete subsection 34.2:

~~At the time and place set for the counting the election ballots, the returning officer shall hear and determine any objection to an elector's right to vote in the ward by mail-in ballot.~~

14.3. Delete subsection 34.3, and

~~34.3. The Municipal Electoral Officer shall count all valid certificate envelopes and provide the count to the Returning Officer to enter the count on the statement of poll:~~

- a) ~~match the certificate envelopes containing the mail-in ballots with the names on the list of applications received and verify that the signatures are similar;~~
- b) ~~if the Municipal Electoral Officer is satisfied that the signatures on the certificate envelope and application is similar the returning officer shall open the certificate envelope and remove the inner mail-in ballot envelope and provide them to the deputy returning officer.~~

Replace subsection 34.3 with the following:

The Municipal Electoral Officer will deliver all Mail-in Ballots in their inner security envelope to the Returning Officer who will keep the ballots secured until they are delivered to the advance counting team at the place and time designated for counting advance ballots.

14.4. Revise subsection 34.4 as follows:

At the time for counting the election ballots and in the presence of the ~~returning officer~~ **deputy returning officer**, poll clerk and agents ~~the returning officer~~ **deputy returning officer** shall:

- a) ~~the deputy returning officer shall~~ open the inner envelope, remove the ballot; and

Approval and Adoption

15. Effective Date

- 15.1. This Election Amendment Bylaw, #2018-08-C, shall be effective on the date of approval and adoption indicated below.

First Reading:

This Election Amendment Bylaw, #2018-08-C, was read a first time and approved by a majority of members present at the Council meeting held on the 11th day of July, 2022.

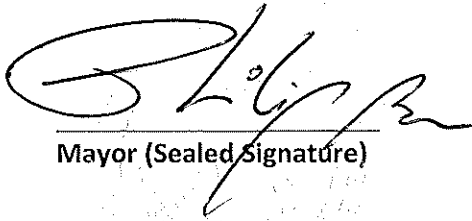
Second Reading:

This Election Amendment Bylaw, #2018-08-C, was read a second time and approved by a majority of members present at the Council meeting held on the 25th day of July, 2022.

Approval and Adoption by Council:

This Election Amendment Bylaw, #2018-08-C, was approved and adopted by a majority of Council members present at the Council meeting held on the 25th day of July, 2022.

Witness the corporate seal of the City of Charlottetown




Mayor (Sealed Signature)



Chief Administrative Officer (Sealed Signature)

This Election Amendment Bylaw, #2018-08-C adopted by the Council of the City of Charlottetown on 25th day of July, 2022 is certified to be a true copy.



Chief Administrative Officer

July 26, 2022
Date

Regular Meeting of Council
July 11, 2022

Moved by Councillor Terry Bernard
Seconded by Councillor Julie McCabe

Add the following amendment to the Election Amendment Bylaw (#2018-08-C)

**15. Part XI – Schedule 2 - Locations of Mobile Polling Stations - of the City of
Charlottetown Election Bylaw is hereby amended by the following:**

15.1 Remove the following independent senior-friendly homes as mobile polls:

Champion Court, Duvar Court, Charlotte Court, Mayfield Senior Citizens, Spring
Park Court and Sherwood Home

Carried

SCHEDULE 2 - LOCATIONS OF MOBILE POLLING STATIONS - CHARLOTTETOWN ELECTION BYLAW
 Pursuant to Section 19.1 of the City of Charlottetown Election Bylaw, mobile polling stations shall be held at the following locations:

MUNICIPAL ELECTIONS - NOVEMBER 5, 2018 -- MOBILE POLLS
 CHARLOTTETOWN

Ward No.	Ward Name	Name of Facility	Location
1	Queens Square	Langille House	214 Kent Street
1	Queens Square	Smith Lodge	35 Weymouth Street
1	Queens Square	Park West Lodge	22 Richmond Street
1	Queens Square	Heritage Haven Community	37 Grafton Street
1	Queens Square	McQuaid Lodge	36 Kent Street
1	Queens Square	Charlotte Residence	39 All Souls Lane
1	Queens Square	Stamper Residence	29 Fitzroy Street
2	Belvedere	Valley House	92 Longworth Avenue
2	Belvedere	Tenderwood Lodge	15 Hawthorne Avenue
2	Belvedere	Whisperwood Villa	160 St. Peters Road
2	Belvedere	Corrigan Home	22 Hemlock Court
3	Brighton	Champlon Lodge	48 Green Street
4	Spring Park	Old Rose Lodge	319 Queen Street
4	Spring Park	Champion Court	9 Champlon Court
4	Spring Park	Duvar Court	20 Duvar Court
4	Spring Park	Geneva Villa	78 Walthen Drive
4	Spring Park	The Mount Continuing Care	141 Mount Edward Road
5	Ellen's Creek	Garden Home	310 North River Road
5	Ellen's Creek	Charlotte Court	300 North River Road
5	Ellen's Creek	Mayfield Senior Citizens	3 Rankin Court
5	Ellen's Creek	Spring Park Court	501 Queen Street
6	Mount Edward	PEI Atlantic Baptist Home	16 Centennial Drive
6	Mount Edward	Bevan Lodge	8 Ellis Road
7	Beach Grove	Beach Grove Home	200 Beach Grove Road
7	Beach Grove	Prince Edward Home	75 Maypoint Road
8	Highfield	Andrews of Charlottetown	73 Mapleque Road
10	Falconwood	Sherwood Home	75 Murchison Lane
10	Falconwood	Hillsborough Hospital	115 Deacon Grove Lane
10	Falconwood	Provincial Palliative Care	93 Murchison Lane
10	Falconwood	Queen Elizabeth Hospital	60 Riverside Drive

Commented [MT22]: Remove the following from mobile polls:

- Champlon Court
 - Duvar Court
 - Charlotte Court
 - Mayfield Senior Citizens
 - Spring Park Court
 - Sherwood Home (closed)
- The locations listed do not fall under the category of long term/community care facilities. These locations are senior friendly housing for those who can live independently.



**CITY OF CHARLOTTETOWN
ELECTION BYLAW
AMENDMENT BYLAW #2018-08-C**

*M-Bernard
S-McCabe
Amendment
read aloud
(attached)
Amendment*

*Carried
B
Councillor
Tweed
absent 9-0*

Amend the City of Charlottetown's Election Bylaw (#2018-08), as attached, to be consistent and compliant with the PEI Municipal Government Act - Election Regulations.

RESOLVED: THAT the bylaw to amend the "CITY OF CHARLOTTETOWN ELECTION BYLAW (#2018-08)" be read a **first** time.

Moved by Councillor *Kevin Ramsay* Kevin Ramsay
 Seconded by Councillor *Bob Doiron* Bob Doiron
 Date: July 11, 2022

RESOLVED: THAT the bylaw now be approved as a City Bylaw and that it be entitled the "CITY OF CHARLOTTETOWN ELECTION BYLAW (#2018-08)" and that it be read a second time at the next public meeting of Council.

Moved by Councillor *Kevin Ramsay* Kevin Ramsay
 Seconded by Councillor *Bob Doiron* Bob Doiron
 Date: July 11, 2022

THEREFORE, BE IT RESOLVED: THAT the "CITY OF CHARLOTTETOWN ELECTION BYLAW (#2018-08)" be read a **second** time and that the said Bylaw now be approved and adopted.

Moved by Councillor *Kevin Ramsay* Kevin Ramsay
 Seconded by Councillor *Bob Doiron* Bob Doiron
 Date: *July 25, 2022*

*B
9-0
Councillor
Tweed
absent*

This Election Amendment Bylaw, #2018-08-C, was adopted by a majority of Council members present at a Council meeting held on 25th day of July, 2022.

*8-0
Councillors
Tweed's
max
absent*

Philip Brown, Mayor
Donna Waddell, CAO

B