

CITY OF CHARLOTTETOWN

ELECTION BYLAW

BYLAW # 2018-08

A bylaw relating to the conduct of municipal elections

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

PART I – INTERPRETATION AND APPLICATION

1. Title

This bylaw shall be known and cited as the “Charlottetown Election Bylaw.”

2. Purpose

The purpose of this bylaw is to establish the rules and procedures for municipal elections in the City of Charlottetown.

3. Authority

This bylaw is adopted pursuant to Part 3 of the *Municipal Government Act*, RSPEI 1988, c M-12.1, and applicable regulations.

4. Application

4.1. This bylaw applies to the Mayor and all members of Council, municipal staff, and the public. It operates together with, and as a supplement to, the *Municipal Government Act* and applicable regulations.

4.2. To the extent there is any inconsistency between this Bylaw and the *Municipal Government Act* or applicable regulations, that Act and regulations shall take precedence.

5. Appointment of Municipal Electoral Officer

5.1. 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.

6. Definitions

6.1. In this bylaw, any word and term that is defined in the *Municipal Government Act* has the same meaning as in that Act.

6.2. In this bylaw:

- a) "Act" means the *Municipal Government Act*, RSPEI 1988, c M-12.1 and amendments thereto;
- b) "campaign contribution" means a campaign contribution as defined in the *Campaign Contribution and Election Expenses Bylaw Regulations*;
- c) "campaign contribution period" means a campaign contribution period as defined in the *Campaign Contribution and Election Expenses Bylaw Regulations*;
- d) "City" means the City Of Charlottetown;
- e) "election" means an election in a municipality, and includes a by-election to elect a member to serve on Council or an election held to elect a Mayor at large;
- f) "election expense" means an election expense as defined in the *Campaign Contribution and Election Expenses Bylaw Regulations*;
- g) "election expense period" means an election expense period as defined in the *Campaign Contribution and Election Expenses Bylaw Regulations*;
- h) "member" means a member of Council;
- i) "ordinary resident" has the same meaning as in the *Election Act*, RSPEI 1988 c E-1;
- j) "polling station" means a place at which voting is conducted;
- k) "ward" means an electoral ward established pursuant to this bylaw.

7. Interpretation

7.1. This Bylaw is to be given a broad, liberal interpretation in accordance with applicable legislation, regulations, and the definitions set out in them.

PART II – WARDS

8. Electoral Wards

8.1. There shall be ten (10) wards.

8.2. The boundaries of each ward in the City are as shown on the ward maps contained in Schedule 1 of this Bylaw.

9. Electoral Boundaries Commission

9.1. Council shall, in accordance with subsection 39(6) of the Act, establish and appoint an Electoral Boundaries Commission within ninety days following election day of each third scheduled election after December 23, 2017 to review the wards and make a report to council setting out its recommendations as to the area, boundaries and names of the wards.

- 9.2. The Electoral Boundaries Commission shall complete its review within three (3) months of its appointment.
- 9.3. The Electoral Boundaries Commission shall consist of:
- a) a chairperson, who is a judge or retired judge of the Supreme Court of Prince Edward Island;
 - b) a person who was a former Councillor or mayor of the City; and
 - c) a person who has never been an elected Councillor or mayor of the City.
- 9.4. The Electoral Boundaries Commission shall:
- a) review the ten wards of the City, and make a report to Council setting out its recommendations as to the area, boundaries, and names of the wards;
 - b) report to Council on such other matters as the Council may from time to time determine.
- 9.5. If a vacancy in the membership occurs, through inability to act, resignation or otherwise, the vacancy may be filled in accordance with section 9.3.
- 9.6. The Electoral Boundaries Commission may request the Municipal Electoral Officer to provide any information possessed by his or her office, and any other assistance that a Commission considers necessary, and the Municipal Electoral Officer shall comply with any reasonable request.
- 9.7. The Electoral Boundaries Commission shall hold public hearings throughout the City at such times and places as it considers appropriate to enable representations to be made by any person as to the area and boundaries of any ward.
- 9.8. The Electoral Boundaries Commission shall give reasonable public notice of the time, place and purpose of any such public hearings.
- 9.9. The Electoral Boundaries Commission may regulate its own proceedings and the conduct of its business.
- 9.10. In determining the area to be included in, and in fixing the boundaries of a ward, a Commission shall take into consideration:
- a) the Canadian Charter of Rights and Freedoms;
 - b) electoral data from the most recent municipal and provincial elections;
 - c) polling divisions from the most recent municipal and provincial elections;
 - d) geographical features;
 - e) population patterns;
 - f) community of interest;
 - g) provincial electoral and polling division boundaries,
 - h) the Act and applicable regulations;
- and may consider such other factors as it regards as relevant.

PART III– LIST OF ELECTORS

10. Establishment of the List of Electors

- 10.1. The Municipal Electoral Officer shall establish and maintain an electronic system for voter registration and shall maintain in accordance with the Act and applicable regulations.

PART IV – NOMINATION OF CANDIDATES

11. Nomination

- 11.1. At least 10 qualified electors are required to nominate a candidate during the nomination period.
- 11.2. A candidate shall:
- a) file the completed nomination paper at the election office with the returning officer, at a time specified for the receipt of nominations; and
 - b) deposit with the returning officer the sum of \$100 in legal tender, money order or a certified cheque made payable to the City for that amount.
- 11.3. The Chief Administrative Officer of the City shall refund the nomination deposit to a candidate or their personal representative when:
- a) the candidate completes and files a campaign disclosure pursuant to Part V of this bylaw, or
 - b) the candidate dies before the close of the polls on election day.
- 11.4. Candidates
Pursuant to subsection 12(2.1) of the Election Regulations, a candidate in an election is not eligible to be appointed, and shall not serve, as an election official in the election.
- 11.5. Person Closely Connected
Pursuant to subsection 18(3) of the Election regulations, a person closely connected, as defined in the Act, to a candidate shall not serve as an election official in the election.

PART V – CAMPAIGN CONTRIBUTIONS AND ELECTION EXPENSE DISCLOSURE

12. Election Expenses

- 12.1. In the case of a general election, the election expenses period is the period in an election year beginning when a person publically declares their intention to run as a candidate (in person or by electronic means) and ending on the election day or the declaration that the candidate is elected, whichever is earlier.

- 12.2. In the case of a by-election, the election expenses period is the period beginning when Council sets the date of the election day and ending on the earlier of election day and the declaration that the candidate is elected.
- 12.3. Election expenses shall only be incurred by or on behalf of a candidate during the election expenses period, except for expenses related to the preparation of advertising materials and signs which may be incurred prior to the election expenses period, but recorded and disclosed as election expenses in accordance with the provisions of the Act, Regulations and this bylaw.
- 12.4. The maximum allowable election expenses of a candidate for mayor is \$50,000.
- 12.5. The maximum allowable election expenses of a candidate for Councillor is \$10,000.
- 12.6. Election expenses incurred by a candidate in an election shall not be carried forward to be considered as an allowable election expenses in a subsequent election.

13. Campaign Contributions

- 13.1. The following may contribute to a candidate's campaign in an election or by-election:
 - a) an individual;
 - b) an organization;
 - c) a union;
 - d) a corporation;
- 13.2. A contributor shall not make a contribution exceeding \$1,575 to any one candidate for Mayor or for Councillor in an election.
- 13.3. Neither a candidate nor that candidate's spouse shall make a contribution to that candidate's own election campaign which exceeds the difference between the maximum expenditure amount set out in sections 12.4 and 12.5 of this bylaw and the total contributions from other contributors. No candidate shall accept anonymous campaign contributions.
- 13.4. Where a candidate receives an anonymous campaign contribution, the candidate shall ensure that the contribution is not used or spent, but is donated to a registered charity of the candidate's choice within 30 days of receipt of the contribution.
- 13.5. Campaign contributions shall only be received by a candidate during the campaign contribution period as defined in the Campaign Financing Regulations.

14. Candidate Records

- 14.1. A candidate shall retain proper and complete accounting records of all campaign contributions and election expenses.
- 14.2. A candidate must ensure that:
- a) proper records are kept of receipts and expenses;
 - b) a record is kept of the value of every campaign contribution, whether the contribution is in the form of money, goods or services, and the name and address of the contributor;
 - c) receipts are provided to the contributor for every campaign contribution; and
 - d) all records kept in accordance of this section remain in the possession and under control of the candidate or the candidate's agent at all times.

15. Candidate Disclosure: Filing and Records Retention

- 15.1. A candidate shall file a disclosure statement of the candidate's campaign contributions and election expenses, listing all campaign contributions and all elections expenses.
- 15.2. The disclosure statement shall be in writing in the form approved by the Minister, and shall be filed with the Municipal Electoral Officer or the Chief Administrative Officer of the City, if the Municipal Electoral Officer is no longer appointed, within two months following the date of a municipal election.
- 15.3. A candidate's disclosure statement shall include:
- a) a statutory declaration that states the total campaign contributions and the total election expenses of the candidate for that election campaign, and whether there is any surplus;
 - b) the following information in relation to campaign contributions:
 - i. the name and address of each contributor whose cumulative campaign contribution exceeded \$250;
 - ii. the cumulative amount that each of the named contributors has given to the candidate;
 - iii. the cumulative total of all contributions under \$250;
 - iv. if no contributor's cumulative campaign contribution exceeded \$250, a notation to that effect;
 - c) a list of all election expenses and campaign contributions;
 - d) a full accounting of all election expenses and campaign contributions relating to fundraising events;
 - e) a description and estimated value of each donation in kind; and
 - f) a description and estimated value of each loan received for the purposes of the election campaign.
- 15.4. No candidate shall file a false, misleading or incomplete disclosure statement.

- 15.5. Where a candidate's disclosure statement filed in accordance with 15.1 of the bylaw discloses a surplus of campaign contributions in the form of money, a named contributor's monetary campaign contribution shall be returned to the contributor, on a pro-rated basis, where:
- a) the candidate withdraws from the election prior to election day; and
 - b) the contributor requests in writing to the candidate, within 14 days of the candidate's withdrawal, the return of the campaign contribution.
- 15.6. Subject to a refund of a named contributor's campaign contribution pursuant to subsection 15.5 of this bylaw, where a candidate's disclosure statement filed in accordance with 15.1 of the bylaw discloses a surplus of campaign contributions in the form of money, the candidate shall turn over the remaining surplus to the Chief Administrative Officer to be used for municipal purposes.
- 15.7. All documents filed with the Municipal Electoral Officer shall be delivered by the Municipal Electoral Officer to the Chief Administrative Officer of the City within two weeks after the time specified in section 15.2 of the bylaw for filing the documents.
- 15.8. The Chief Administrative Officer shall retain the documents referred to in 15.7 of this bylaw in accordance with the records retention and disposal schedule of the City that is established pursuant to section 117 of the Act.
- 15.9. All documents filed with the Municipal Electoral Officer and retained by the Chief Administrative Officer under section 15.8 of this bylaw are public documents and may, upon request, be available for inspection on request to the Chief Administrative Office during regular office hours.
- 15.10. A candidate, whether elected or not, shall retain all records required pursuant to the regulations for no less than seven years.
- 15.11. The Municipal Electoral Officer, or the Chief Administrative Officer if the Municipal Electoral Officer is no longer appointed, may require a candidate (whether elected or not) to provide additional information and supporting documentation in respect of the candidate's disclosure statement at any time within the seven-year period referred to in section 15.10 of this bylaw.

16. Reporting

- 16.1. The Chief Administrative Officer shall forward to Council a report summarizing the disclosure statement of each candidate, noting any candidate who has exceeded the limit on election expenses pursuant to sections 12.4 and 12.5 of this bylaw and the name of any candidate who failed to file the required disclosure statement.

16.2. The Chief Administrative Officer shall ensure that the summary referred to in section 16.1 of this bylaw is posted at City Hall and on the City's website for a period of at least six (6) months.

16.3. The Chief Administrative Officer shall ensure that the filed disclosure statement of each candidate who sought election in the immediately preceding election (whether elected or not) is posted on the City's website for a period of at least six (6) months.

17. Complaints & Compliance

17.1. Where:

- a) a candidate fails or refuses to provide the additional information and supporting documentation referred to in section 15.11 of the bylaw; or
- b) the Municipal Electoral Officer or Chief Administrative Officer, as the case may be, is not satisfied with the additional information and supporting documentation provided by the candidate;

the Municipal Electoral Officer or Chief Administrative Officer, as the case may be, may refer the matter to Council.

Council may:

- c) determine that no further action is required;
- d) order the candidate to provide the additional information and supporting documentation required under section 15.11 of the bylaw; or
- e) take any further action the Council considers appropriate.

17.2. An elector of the municipality may in writing make a complaint that relates to information contained in a candidate's disclosure statement and deliver the complaint to the Municipal Electoral Officer, or the Chief Administrative Officer if the Municipal Electoral Officer is no longer appointed.

17.3. The Municipal Electoral Officer or the Chief Administrative Officer, as the case may be, who receives a complaint from an elector under section 17.2 of this bylaw may:

- a) determine that no further action is required;
- b) require the candidate who is the subject of the complaint to provide additional information under section 15.11 of the bylaw, or
- c) refer the matter to Council to be dealt with under section 17.1 of this bylaw.

18. Offences and Penalties

18.1. A person who contravenes a provision of this bylaw is guilty of an offence and liable on summary conviction to a fine not exceeding \$2,000.

- 18.2. In the case of a continuing offence, that person is liable on summary conviction to a further fine of \$2,000 for each day or part of a day during which the offence continues.
- 18.3. A conviction for an offence referred to in section 18.1 of this bylaw does not relieve the person convicted, including a candidate referred to in section 17.3(b) of this bylaw, from the requirement to comply with this bylaw.
- 18.4. The convicting judge may, in addition to any fine imposed, order the person to do any act or work, within the time specified by the judge in the order, to comply with the provisions of this bylaw.
- 18.5. Where a candidate who is elected has contravened any provision of this bylaw and is convicted of an offence in respect of that contravention, the candidate is disqualified from office and shall resign immediately.
- 18.6. Despite section 18.5 of this bylaw, a candidate may not be required to resign where a judge of the Supreme Court decides that the contravention of the candidate arose through inadvertence or by reason of an honest mistake.

PART VI – ADVANCE AND MOBILE POLLS

19. Advance Polls

- 19.1. If the Municipal Electoral Officer determines that it is necessary or convenient to do so, additional advance polling stations may be open between the hours of 10:00 a.m. and 6:00 p.m. on the twelfth, eleventh, tenth, sixth, fifth, or fourth days before ordinary polling day.
- 19.2. An advance polling station shall be open between the hours of 9:00 a.m. and 7:00 p.m. on Saturday the 9th day before ordinary polling day, Monday the 7th day before ordinary polling day, and on Friday the 3rd day before ordinary polling day.
- 19.3. In addition to the times set out in section 19, the Municipal Electoral Officer may designate such other times to hold advance polling as in his or her opinion are necessary or convenient.

20. Mobile Polling Stations

- 20.1. A mobile polling station shall be provided at the locations set out in Schedule 2 of this bylaw.
- 20.2. Voting at a mobile polling station shall be conducted during a time specified for holding advanced polling under section 19.

- 20.3. A deputy returning officer and a poll clerk shall conduct the voting process at a mobile polling station.
- 20.4. While the mobile polling station is open, the deputy returning officer and poll clerk may:
- a) suspend temporarily the voting in the polling station; and
 - b) with the approval of the person in charge, and accompanied by an officer of the facility or nursing home, 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;
 - c) notwithstanding section 50 of the *Municipal Election Regulations* the deputy returning officer and poll clerk shall not allow a polling station established in a hospital to be open unless a representative of the hospital is present in the room or area where the polling station is located.
- 20.5. The procedure to be used in taking the vote at a mobile polling station shall be in the same manner as provided in the *Municipal Election Regulations*.
- 20.6. Votes cast at a mobile polling station shall be counted at the same time and according to the same procedure set out in the *Municipal Election Regulations*.
- 20.7. 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.

PART VII – MAIL-IN BALLOTS

21. Definitions

21.1. In this part:

- a) “application for registration and mail-in ballot” means an application completed by an elector for registration in an electoral ward and a mail-in ballot;
- b) “bylaw” means this bylaw;
- c) “certificate envelope” means the prescribed envelope form supplied by the Municipal Electoral Officer in which the inner envelope is placed by the elector;
- d) “elector” means a person entitled to vote pursuant to section 31 of the Act;
- e) “hours of the day” and all other references to time relate to local time;
- f) “inner envelope” means the prescribed envelope form supplied by the Municipal Electoral Officer in which a ballot paper is to be enclosed after the ballot paper has been marked and before the ballot paper is

- transmitted to the Municipal Electoral Officer or Returning Officer in an outer envelope;
- g) “mail-in ballot” means the ballot papers supplied to electors who are eligible under these Rules;
 - h) “outer envelope” means an envelope supplied by the Municipal Electoral Officer for the transmission of a ballot paper after it has been marked and enclosed in an inner envelope and certificate envelope;
 - i) “polling day” means the date fixed pursuant to section 37 of the Act for holding the poll at an election;
 - j) “validated application for registration and mail-in ballot” means that the ward has been entered on the application and signed by the returning officer;

22. Administration

- 22.1. The Municipal Electoral Officer shall exercise general direction and supervision over the administration of this Part.
- 22.2. For the purpose of carrying into effect these Rules or in order to adapt these Rules in respect of a particular circumstance, the Municipal Electoral Officer may issue such instructions as necessary in order to execute their intent.
- 22.3. 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.

23. Qualification

- 23.1. 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 by 6:00 p.m. at the office of the returning officer or Municipal Electoral Officer on or before the 13th day before polling day.

24. Application for Mail-In Ballot

- 24.1. To be included on the list of electors, an elector must file with the Municipal Electoral Officer or returning officer an application for registration and mail-in ballot containing such information in such form as the Municipal Electoral Officer may require.
- 24.2. Once an elector's application for registration and mail-in ballot has been accepted, that elector may only vote by mail-in ballot.

25. Additional Information

- 25.1. The Municipal Electoral Officer may, where an application for registration and mail-in ballot does not contain all the required information, request, by notice in

writing, the applicant to provide the Municipal Electoral Officer with the required information.

26. Application Approval

26.1. The Municipal Electoral Officer shall, after issuing the writs and on approval of an application for registration and mail-in ballot, send to each elector, at the address set out in the application that has been provided by the elector, a ballot paper and an inner envelope, certificate envelope and an outer envelope in the prescribed form.

27. Casting of Vote

27.1. An elector who receives a ballot paper shall mark the ballot paper by making a cross with a black lead pencil within the space on the ballot paper containing the name and particulars of the candidate for whom he or she intends to vote.

27.2. After casting a vote, an elector shall fold the ballot paper in the same manner as the ballot paper was received and place the ballot paper in the inner envelope, seal the inner envelope and place it in the certificate envelope, which the elector shall sign, date and seal.

27.3. An elector shall transmit the certificate envelope to the Municipal Electoral Officer or returning officer by hand, in the envelope provided by mail or through any other prepaid system of delivery.

27.4. A mail-in ballot must arrive at the office of the Municipal Electoral Officer or returning officer not later than 12 noon on Monday ordinary polling day in order to be counted.

27.5. For the purposes of these mail-in voting rules, the elector is solely responsible for ensuring that the application for registration and mail-in ballot is completed and received by the Municipal Electoral Officer or returning officer within the time period specified.

28. Incarcerated Persons

28.1. Every person who is incarcerated in a provincial correctional institution, a federal penitentiary or a youth custody facility and who is otherwise qualified to vote under the Bylaw is entitled to vote under this Part.

28.2. An incarcerated elector is not entitled to vote under this Part unless that person has signed an application for registration and mail-in ballot pursuant to section 24.

28.3. An incarcerated elector is entitled to vote under these Rules only for a candidate in the ward in which is situated the place of ordinary residence of the

incarcerated elector as shown on the application for registration and mail-in ballot made by the elector under section 24.

28.4. Prior to 6:00 p.m. on the 13th day before ordinary polling day an incarcerated elector wishing to vote must file with the returning officer or Municipal Electoral Officer an application for registration and mail-in ballot indicating the city, town, village or other place in Canada, with street address, if any, province and postal code in which is situated:

- a) the residence of the elector prior to being incarcerated;
- b) the residence of a spouse, parent or dependent of the eligible elector;
- c) the place of arrest of the elector; or
- d) the last court where the elector was convicted and sentenced.

28.5. For the purposes of completing the application for registration and mail-in ballot, the place of ordinary residence of an incarcerated elector is the first of those places listed in clauses 28.4(a) to (d) that is known to the elector.

29. Application to be Validated

29.1. All applications for registration and mail-in ballot shall be validated with the name of the ward in which is situated the residence shown in the application and such application shall be signed and dated by the returning officer who validates the application.

30. Special Instructions for this Part

30.1. The Municipal Electoral Officer shall, for the purposes of this Part, prescribe:

- a) security instructions for the safekeeping of ballot papers, inner envelopes, certificate envelope, and all other election documents; and
- b) instructions for the receiving, sorting and counting of the mail-in ballots.

31. Deadline for Receipt of Mail-In Ballot Papers

31.1. Only ballot papers received by the Municipal Electoral Officer before 12 noon on Monday, ordinary polling day, may be counted.

32. Envelopes

32.1. Every certificate envelope received by the Municipal Electoral Officer shall bear on the back of the envelope in the space provided the date and time received by the Municipal Electoral Officer and his or her initials.

32.2. Notwithstanding section 32.1, no envelope shall be rejected by reason only that the Municipal Electoral Officer, or designated Elections P.E.I. personnel, has not placed his or her initials upon the envelope.

32.3. A certificate envelope shall be laid aside unopened where, during the receiving and sorting of certificate envelopes, it is determined on examination of a certificate envelope that:

- a) in respect of any vote, a certificate envelope does not bear the signature of the elector;
 - b) the correct ward of the elector whose ballot is contained in the certificate envelope cannot be determined;
 - c) the certificate envelope has been received by the Municipal Electoral Officer after 12 noon on Monday ordinary polling day; or
 - d) the certificate envelope relates to a ward in which a candidate has died between nomination day and polling day.
- 32.4. Where, after receiving and prior to counting the certificate envelopes, it is ascertained that an elector has voted more than once, the certificate envelopes relating to that elector shall be laid aside unopened.
- 32.5. Where a certificate envelope is laid aside unopened pursuant to section 32.3 or 32.4:
- a) the certificate envelope shall be endorsed by the Municipal Electoral Officer with the reason why it has been laid aside;
 - b) in the case of a certificate envelope laid aside pursuant to section 32.4, the ballot paper contained in the certificate envelope shall be deemed to be a spoiled ballot.
- 32.6. The Municipal Electoral Officer shall ensure that the mail-in ballot envelopes returned to the office of the Municipal Electoral Officer are kept sealed and in safekeeping until the envelopes are delivered to the designated returning officer.
- 32.7. The mail-in ballot envelopes shall be delivered to the designated returning officer prior to the time and place designated for counting the election ballots.
- 32.8. All mail-in ballot envelopes received after the prescribed deadline shall remain sealed and be kept separate and shall be initialed by the Returning Officer and marked with the date and time of their receipt.

33. Accepting and Counting Mail-In Ballots

- 33.1. The 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 Municipal Electoral Officer;
 - b) more than one mail-in ballot has been issued to an elector;
 - c) the elector was not registered in the ward prior to the deadline; or
 - d) the outer envelope was received after the prescribed deadline pursuant to section 27.4.
- 33.2. 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.

- 33.3. At the time for counting the election ballots and in the presence of the poll clerk and agents the deputy returning officer shall:
- a) open the inner envelope, remove the ballot; and
 - b) affix his or her initials to the ballot and without opening it place the ballot in the advance poll ballot box.

34. Mail-In Ballot Offences

- 34.1. Any person is guilty of an offence who:
- a) attempts to obtain or communicate any information as to the candidate for whom any ballot paper has been marked by an elector;
 - b) interferes with, or attempts to interfere with an elector when marking a ballot paper, or otherwise attempts to obtain any information as to the candidate for whom any elector is about to vote or has voted;
 - c) knowingly applies for a ballot paper to which that person is not entitled;
 - d) makes any untrue statement in the application signed by that person to obtain a mail-in ballot;
 - e) prevents or endeavours to prevent any elector from voting at an election.
- 34.2. Every person is guilty of an offence where, in order to induce or compel an elector to vote for any candidate or to refrain from voting, or on account of the elector having voted for any candidate or refrained from voting at an election, the person, directly or indirectly, personally or through any other person:
- a) uses or threatens to use any force, violence or restraint, inflicts or threatens to inflict any injury, damage, harm or loss or in any manner practices intimidation on or against an elector; or
 - b) by abduction, duress or any false or fraudulent pretense, device or contrivance, impedes, prevents or otherwise interferes with the free exercise of the franchise of an elector.

PART VIII – ELECTION RECORDS

35. Records

- 35.1. Records pertaining to the election will be destroyed or retained, as the case may be, in accordance with section 87 of the *Municipal Election Regulations* and the Records Retention and Disposal Bylaw and where such bylaw has not yet been enacted, will be retained for at least seven years.

PART IX – EMPLOYEE ELECTION ACTIVITIES

36. General

- 36.1. All employee election activities and interaction with employees relating to elections shall be undertaken in accordance with subsections 35(1) and (2) of the Act.

36.2. The Chief Administrative Officer, Deputy Chief Administrative Officer and the Heads of City Departments shall be restricted from participating in any municipal political activity.

PART X – ADMINISTRATIVE

37. Schedules

37.1. The Schedules form part of this bylaw and may be amended by Council from time to time.

38. Repeal of Bylaw

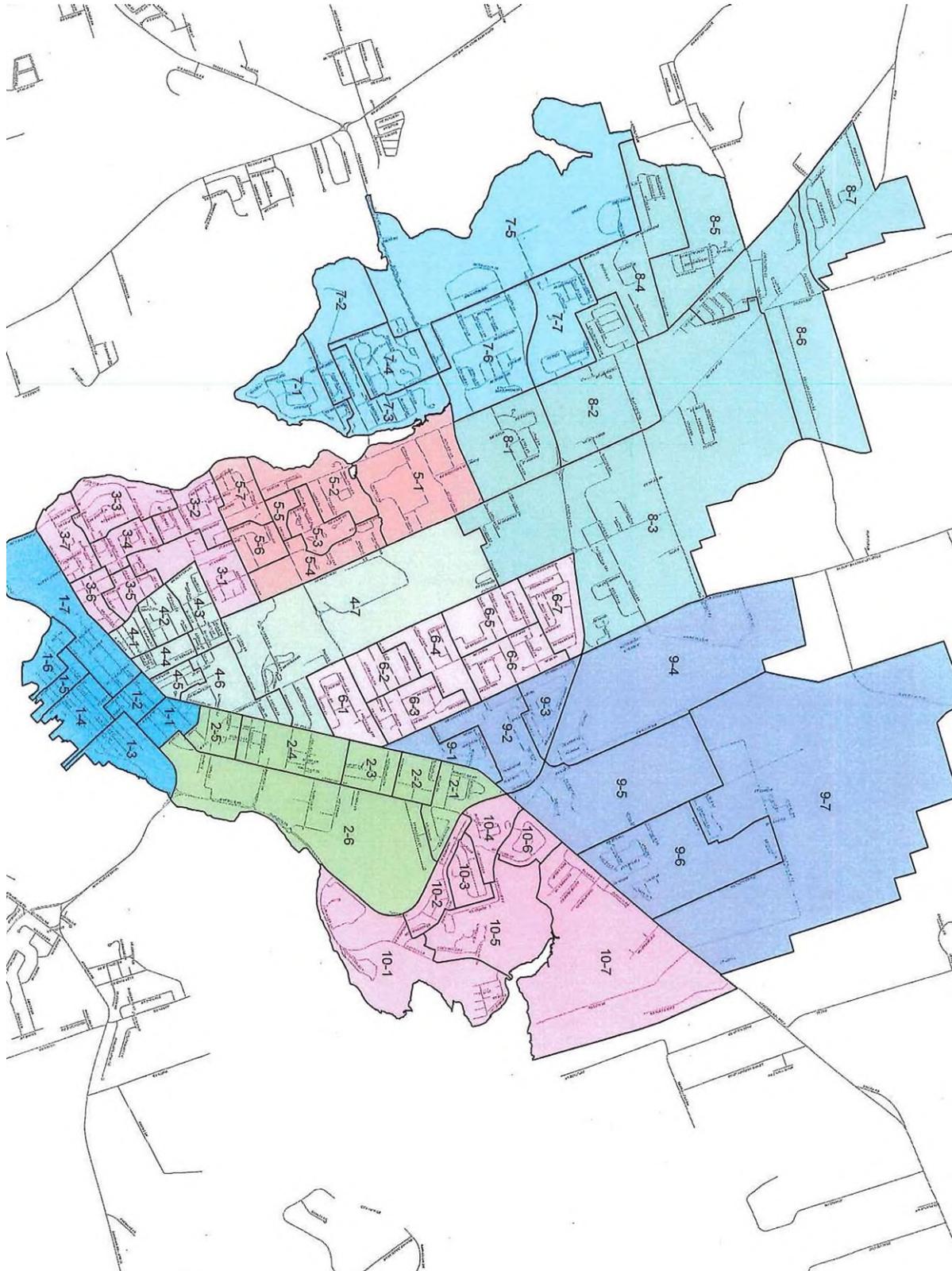
38.1. The City of Charlottetown Election Bylaw which was approved and adopted by City Council on August 26, 1997 and amended on:

AMENDED January 12, 1998	AMENDED February 09, 1998
AMENDED August 11, 2003	AMENDED February 24, 2004
AMENDED June 13, 2005	AMENDED September 21, 2006
AMENDED December 14, 2009	AMENDED April 14, 2014
EST. August 29, 2018	AMENDED November 1, 2018
AMENDED April 11, 2022	AMENDED July 25, 2022

*“This document is an office consolidation of this Bylaw (**amending bylaw adopted 25-July-2022**). It is intended for information and reference purposes only. This document is not the official version of the Bylaw. Where accuracy is critical, please consult official sources. If you find any errors or omissions in this consolidation, please contact the Records Management Clerk”*

SCHEDULE 1 – ELECTORAL WARDS

CITY OF CHARLOTTETOWN ELECTION BYLAW



SCHEDULE 2 - LOCATIONS OF MOBILE POLLING STATIONS - CHARLOTTETOWN ELECTION BYLAW
Pursuant to Section 20.1 of the City of Charlottetown Election Bylaw, mobile polling stations shall be held at the following locations:

MUNICIPAL ELECTIONS - NOVEMBER 7, 2022 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	Champion Lodge	48 Green Street
4	Spring Park	Old Rose Lodge	319 Queen Street
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
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 Malpeque Road
10	Falconwood	Hillsborough Hospital	115 Deacon Grove Lane
10	Falconwood	Provincial Palliative Care	93 Murchison Lane
10	Falconwood	Queen Elizabeth Hospital	60 Riverside Drive