



# **2025 Mayoral and Councillor Candidate Information Guide**

# Amendments done to this Guide

February 26, 2025

- 1. Document re-written to improve spacing, readability, organization, and accessibility.
- 2. "Definitions" section created to house commonly used definitions.
- 3. Fonts changed from combination of Times New Roman and Red Hat Text to Red Hat Text.
- 4. Page Numbers fixed.

# **Definitions**

- Alberta employee organization: Any organization that bargains collectively for employees in Alberta, and for the purposes of the *Local Authorities Election Act*, all branches of an Alberta employee organization are deemed to be one employee organization.
- Alberta trade union: A trade union as defined in the Labour Relations Code, the Public Service Employee Relations Act or on the Canada Labour Code that holds bargaining rights for employees in Alberta, and for the purposes of the Local Authorities Election Act all locals of a trade union are deemed to be one trade union.
- Allowable campaign expense: an expense incurred for, or a non-monetary contribution in relation to:
  - In-kind expenses and contributions are included under this umbrella term.
  - o (i) The production of advertising or promotional material,
  - (ii) The distribution, broadcast, or publication of advertising or promotional material in any media or by any other means during a campaign period, including using a capital asset,
  - o (iii) The payment of remuneration and expenses to or on behalf of a person for the person's services as a chief financial officer or in any other capacity,
  - (iv) Securing a meeting place
- Candidate: An individual who has been nominated to run for election as a councillor, mayor, or school board trustee that has given written notice to the Returning Officer in accordance with sec. 147.22 of the Local Authorities Election Act (LAEA).
- Chief Elected Official: The Mayor.

- Chief Electoral Officer: Project Lead of the City of Medicine Hat Municipal Election.
- Councillor: A member of Council.
- **Court:** Court of King's Bench.
- Election Day: The day fixed for voting at an election.
- **Elector register:** Also referred to as "Permanent Elector Register (PER)", "Permanent List of Electors": List of electors created by the City of Medicine Hat in conjunction with the Government of Alberta in compliance with Section 49, of the *Local Authorities Election Act*.
- **Elector:** Person eligible to vote at an election.
- Eligible voter: An elector who meets all criteria to vote in an election.
- **Employee organization:** An organization other than a trade union that bargains collectively for employees.
  - o In the case of a municipality, the Minister responsible for the *Municipal Government Act*.
  - o In the case of a school division as defined in the *Education Act*, the Minister responsible for Part 5 of the *Education Act*.
- Local Authorities Election Act (LAEA): Alberta, provincial statute that governs the conduct of municipal elections in Alberta.
- **Municipal Government Act (MGA):** Alberta, provincial statute that defines local government within the province of Alberta.
- Nomination Day: The last day in which a candidate is permitted to file a nomination to become a candidate.
- **Registered charity:** A registered charity within the meaning of subsection 248(1) of the *Income Tax Act* (Canada).
- Relevant Minister:
  - The 2025 Election Day is October 20, 2025.
- **Trade union:** An organization of employees that has a written constitution, rules or bylaws and has as one of its objects the regulation of relations between employers and employees.
- **Voting Subdivision:** An area of a local jurisdiction or ward designated as a voting subdivision by the municipality or the returning officer.

# Introduction

This guide was created to bring prospective candidates up to speed with changes implemented for the 2025 municipal election, provide information on election rules and requirements, and in- form candidates on the most frequent questions asked by candidates prior to Nomination Day. While the information provided attempts to provide a good understanding on what it is to be a candidate, and touches on several aspects, it is **your responsibility as a candidate to be familiar with the candidate requirements.**We urge you to obtain a copy of the *Local Authorities Election Act* and the *Municipal Government Act* and reference them throughout the campaign period. These laws can be obtained from:

Alberta King's Printer

7<sup>th</sup> Floor, Park Plaza Building 10611 – 98 Avenue NW Edmonton, AB, T5K 2P7

Telephone number: 780-427 4952

Fax: 780-452-0668

Website: www.alberta.ca/alberta-kings-printer

If you have any questions, feel free to reach out to the Returning Officer or the Substitute Returning Officer at:

Tarolyn Aaserud, City Clerk and Returning Officer, phone: 403-529-8221, email:
election@medicinehat.ca
Andres Cardona Arias, Chief Electoral Officer (CEO) and Substitute Returning Officer, phone: 403-
529-8348, email: andcar@medicinehat.ca
3rd Floor City Hall 580 1st St SE, Medicine Hat, Alberta, T1A 8E6

The information in this package is subject to change. Please refer to our website <u>Election - City</u> <u>of</u> <u>Medicine Hat</u> to view the most up-to-date information, up-to-date forms, and election updates.

# **Key Dates for Candidates**

Stay on top of important deadlines and key events throughout the election cycle. Here are key dates every candidate should mark on their calendar:

**PRE-ELECTION KEY DATES** 

First day to submit nomination papers	January 1, 2025, from 8:30 AM – 4:00 PM	<b>Location:</b> 3 <sup>rd</sup> Floor City Hall, 580 1 <sup>st</sup> St SE, Medicine Hat, Alberta, T1A 8E6
Nomination Day	September 22, 2025, from 8:30 AM – 12:00 PM	<b>Location:</b> 3 <sup>rd</sup> Floor City Hall, 580 1 <sup>st</sup> St SE, Medicine Hat, Alberta, T1A 8E6
Last Day for candidates to withdraw their nomination	September 23, 2025, from 8:30 AM – 12:00 PM	<b>Location:</b> 3 <sup>rd</sup> Floor City Hall, 580 1 <sup>st</sup> St SE, Medicine Hat, Alberta, T1A 8E6
Advance Polls	October 4: 9:00 AM – 3:00 PM; October 14 – 18: 10:00 AM – 8:00 PM	<ul> <li>Holy Family Parish (1451, Strachan Road Southeast)</li> <li>Hockey Hounds Recreation Centre (39, 10 Street Northeast)</li> </ul>
Election Day	October 20, 2025: 10:00 AM – 8:00 PM	Various locations, see the website <u>Voter</u> <u>Information - City of Medicine Hat</u> for up-to-date information on all polling stations

# POST-ELECTION DATES

Judicial Recount Application	Any time within 19 days after the close of the voting stations on Election Day (LAEA Sec. 103). 19 days after the close of the voting stations on Election Day is November 7, 2025.	Location: (	Court of King's Bench
Notice of Judicial Recount Application	3 days prior to the application for a recount (LAEA Sec. 104)	the affiday	A copy of the application and vit shall be served by the to the secretary, returning d all candidates of the elected
Deadline to submit Disclosure Statements	On or before March 1 <sup>st</sup> , 2026		<b>Location:</b> 3 <sup>rd</sup> Floor City Hall, 580 1 <sup>st</sup> St SE, Medicine Hat, Alberta, T1A 8E6

Elimination of Campaign Deficit disclosed in Disclosure Statement	Within 60 days after filing disclosure statement	<b>Location:</b> 3 <sup>rd</sup> Floor City Hall, 580 1 <sup>st</sup> St SE, Medicine Hat, Alberta, T1A 8E6
Deadline to submit amended disclosure statement	Within 30 days after eliminating the campaign deficit.	<b>Location:</b> 3 <sup>rd</sup> Floor City Hall, 580 1 <sup>st</sup> St SE, Medicine Hat, Alberta, T1A 8E6
Elimination of Campaign Surplus disclosed in Disclosure Statement	Within 60 days after filing disclosure statement.	<b>Location:</b> 3 <sup>rd</sup> Floor City Hall, 580 1 <sup>st</sup> St SE, Medicine Hat, Alberta, T1A 8E6
Deadline to submit amended disclosure statement	Within 30 days after eliminating the campaign surplus.	<b>Location:</b> 3 <sup>rd</sup> Floor City Hall, 580 1 <sup>st</sup> St SE, Medicine Hat, Alberta, T1A 8E6

Note: Information on the process for candidates to submit their Disclosure Statements will become available post Election Day.

#### **KEY DATES FOR ELECTED CANDIDATES**

Candidates should be aware of these dates. Should they be elected, these will be among the first orders of business they will tend to:

Swearing in Ceremony and Inaugural Organizational Meeting	Monday, November 3, 2025	Location: Council Chambers
Regular Council Meetings Begin	Monday, November 17, 2025	Location: Council Chambers

Note: All successful elected officials are required to attend orientation training – dates and times TBD.

# What to expect as a Council Member

#### **MAYORAL CANDIDATES**

General Duties of the Chief Elected Official (Mayor)

- S. 154(1) of the MGA states that a Chief Elected Official, in addition to performing the duties of a councillor, must:
  - (a) preside when in attendance at a council meeting unless a bylaw provides that another councillor or other person is to preside, and
  - (b) perform any other duty imposed on a chief elected official by this or any other enactment or bylaw.

According to the Municipal Government Act (MGA) s. 153, councillors have the following duties:

- (a) To consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality.
  - (i) To promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities.
- (b) To participate generally in developing and evaluating the policies and pro- grams of the municipality.
- (c) To participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council.
- (d) To obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer.
- (e) To keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public.
  - (i) To adhere to the code of conduct established by the council under section 146.1 of the MGA.
- (f) To perform any other duty or function imposed on the councillors by this or any other enactment or by the council.

#### Meetings

The mayor chairs all Council meetings. These meetings occur the first and third Monday of each month, in the event of a statutory holiday on a Monday, the meetings are moved to the next working day. Closed Council begins in the afternoon (depending on agenda size) and Open at 6.30pm and can run late into the evening. Agenda packages are delivered electronically on the Friday preceding the meeting and can be upwards of 600 pages.

All agenda packages, including those of the Standing Committees, are delivered electronically to Council members. Council members are issued laptops and smartphones for Council business.

Council members are expected to read, understand and abide by the policies governing electronic communications and social media. More information will be provided at orientation.

The mayor is a member of the Administrative Committee, the committee meets every Wednesday at 9:00 am, with meetings lasting  $\pm$  3 hours. The mayor is an ex-officio member of other committees, in addition to civic duties.

#### Renumeration & Benefits

#### Compensation

The Annual Base Salary paid to the mayor is \$136,639. This salary is adjusted on January 1<sup>st</sup> of each year in accordance with the average monthly change to the Alberta Consumer Price Index in the previous 12-month period from November to October. Councillors are free to not have their Annual Base Salary fully or partly adjusted by providing written notice to the Chief Administrative Officer.

Note on "Base Compensation": "Base compensation" is an all-inclusive amount provided to Council Members for their time and service carrying out their duties, including preparing for, attending and following up on meetings.

#### It does not include:

- Payments under the Per Diem Allowance Policy.
- Participation in the City's Group Benefit plans such as the Extended Health Care, Dental Plan,
   Health Spending Account and Life Insurance plans.
- Participation in the Elected Officials Retirement Savings Program.

#### Health and Vision Benefits

#### **Extended Healthcare/Vision Plan**

- 100% Direct bill for prescription drugs (mandatory generic drug plan) to a max of \$25,000 per year.
- 100% Hospital, ambulance, home nursing, accidental dental & appliances subject to plan limitations.
- 100% Paramedical to a max of \$900 per year/ per practitioner (i.e., physiotherapist, chiropractor, etc.).
- 100% Mental health coverage to a max of \$3,000 per year (i.e., psychologist, social worker, counsellor, etc.).
- 100% Out of province emergency medical travel coverage for trips up to 60 days.
- \$500 Vision every two years per person (glasses, frames, contacts, etc.).

#### **Health Spending Account**

- \$1,000 per eligible employee per year (combined with Wellness Spending Account).
- Non-taxable allocation to cover any medical or dental expense not otherwise covered by the City's plans but considered an eligible expense under the Canada Revenue Agency Medical Expense Tax Credit.

#### **Wellness Spending Account**

- \$1,000 per permanent employee per year (combined with Health Spending Account).
- Taxable benefit to cover, as an example, personal development and education courses, fitness equipment and activities, technology, and health related programs and services.

#### **Dental Plan**

100% Basic dental services, 80% extensive to \$2,500 combined annual max, 80% endodontics
 /peridontics to \$1,500 max/lifetime, 50% orthodontic to \$2,500 max/lifetime.

#### Life Insurance

100% Employer Paid

- Basic Life 2x annual salary to \$500,000 max.
- Dependent Life \$10,000 for Spouse and \$5,000 per child.
- Accidental Death & Dismemberment 2x annual salary to \$500,000 max.

#### **Transportation and Travel**

Council members required to travel out of the city to carry out City business consistent with their office are eligible for the reimbursement of expenses as per the <u>Personal Expense Policy #0107</u>. Councillors are also provided with a car allowance as per the <u>Car Allowance Policy #0108</u>.

#### **Indemnification Policy**

Council members that serve the City of Medicine Hat are protected from the expenses of law- suits and other actions that arise out of conduct undertaken in good faith in the performance or intended performance of the employee's, council appointee's or council member's duties for the City of Medicine Hat (Policy #0146 "Legal Representation and Indemnification of Council Members and Employees").

#### Office Space and Administrative Support

The mayor is entitled to a dedicated office space in City Hall and the administrative support that is shared amongst every member of Council.

#### **COUNCILLOR CANDIDATES**

#### General Duties of Councillors

According to the Municipal Government Act (MGA) s. 153, Councillors have the following duties:

- (a) To consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality.
  - (i) To promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities.
- (b) To participate generally in developing and evaluating the policies and programs of the municipality.
- (c) To participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council.
- (d) To obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer.
- (e) To keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public.
  - (i) To adhere to the code of conduct established by the council under section 146.1 of the MGA.
- (f) To perform any other duty or function imposed on the councillors by this or any other enactment or by the council.

#### Meetings

Council meetings are held every first and third Monday of each month. In the event of a statutory holiday on a Monday, the meetings are moved to the next working day. Closed Council be- gins in the afternoon (depending on agenda size) and Open at 6.30pm and can run late into the evening. Agenda packages are delivered electronically on the Friday preceding the meeting and can be upwards of 600 pages.

All agenda packages, including those of the Standing Committees, are delivered electronically to Council members. Council members are issued laptops and smartphones for Council business. Council members are expected to read, understand, and abide by the policies governing electronic communications and social media. More information will be provided at orientation.

Each Councillor is appointed to two or more Standing Committees. Standing Committees meet once every two weeks for +/- two hours. Each Councillor is also appointed to represent the city on at least two other boards, committees, or commissions. For more information on the meeting calendar, visit the City's website at <a href="https://www.medicinehat.ca">www.medicinehat.ca</a>.

#### Renumeration & Benefits

#### Compensation

The Annual Base Salary paid to all Councillors is outlined below. This salary is adjusted on January 1st of each year in accordance with the average monthly change to the Alberta Consumer Price Index in the previous 12-month period from November to October. Councillors are free to not have their Annual Base Salary fully or partly adjusted by providing written notice to the Chief Administrative Officer.

Annual Base Salary as November 2021	\$45,476
Per Diem Allowance	\$200 per day for meeting/event of 4 hours or more.
	\$100 per day for meeting/event of less than 4 hours.

Note on "Base Compensation": "Base compensation" is an all-inclusive amount provided to Council Members for their time and service carrying out their duties, including preparing for, attending and following up on meetings.

#### It does not include:

• Payments under the Per Diem Allowance Policy.

- Participation in the City's Group Benefit plans such as the Extended Health Care, Dental Plan,
   Health Spending Account and Life Insurance plans.
- Participation in the Elected Officials Retirement Savings Program.

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- \$1,000 per permanent employee per year (combined with Health Spending Account)
- Taxable benefit to cover, as an example, personal development and education courses, fitness equipment and activities, technology, and health related programs and services.

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#### **Indemnification Policy**

Council members that serve the City of Medicine Hat are protected from the expenses of law- suits and other actions that arise out of conduct undertaken in good faith in the performance or intended performance of the employee's, council appointee's or council member's duties for the City of Medicine Hat (Policy #0146 "Legal Representation and Indemnification of Council Members and Employees").

#### Office Space and Administrative Support

There is a shared office space for Councillors who wish to use it, however, space is limited and is available on a first come first served basis. There is also shared administrative support available to all Councillors.

# **Commencement of Duties**

#### WHEN DOES YOUR TERM OF OFFICE COMMENCE?

A person who is elected in an election holds office from when they take the Oath of Office, which will be administered at the Swearing-In Ceremony, which will take place on Monday, November 03, 2025.

#### **MANDATORY ORIENTATION**

All persons who are elected in an election are required to attend orientation training. The dates and times are still undecided.

#### WHEN IS THE FIRST COUNCIL MEETING?

The first Council Meeting after the election will take place on Monday, November 17, 2025.

# Changes implemented for the 2025 Municipal Election

The 2025 election will be the most unique election in 30 years, resulting from the new mandated processes and procedures from the Bill 20 changes to the Local Authorities Election Act (LAEA) and decisions taken by the City to deal with the new requirements. This guide **will not** outline every change done to the Local Authorities Election Act; however, it will provide an overview of the key changes to election processes that candidates will encounter in this election. Furthermore, all information has been updated to reflect the changes to the (LAEA).

#### NOTICE OF INTENT OF NOMINATION "NOTICE OF INTENT"

A new addition to the Local Authorities Election Act (LAEA) (s. 147.22). An individual who intends to be nominated or has been nominated to run for election in a local jurisdiction as a candidate must give written notice to the local jurisdiction in which the individual intends to be or has been nominated. You cannot incur campaign expenses nor accept campaign contributions if you have not submitted this form. This form can be found on the Nomination Packages:



- Mayoral candidates https://www.medicinehat.ca/en/government-and-city-hall/resources/Documents/City-Clerk/2025-Nomination-Package\_Mayor.pdf
- Councillor candidates https://www.medicinehat.ca/en/government-and-city-

hall/resources/Documents/City-Clerk/2025-Nomination-Package Councillor.pdf

#### **HAND COUNTED VOTES**

The 2025 Municipal Election will be the first since 2001 to not use tabulator machines, as section 49 of the LAEA now prohibits the use of these devices. Workers will hand count the ballots cast on Election Day (October 20, 2025) at polling stations and will count the ballots cast in Advance Vote polling stations, ballots cast using the special vote ballot, and ballots cast in institutions at a counting centre. Candidates may witness the count in person or through a designated scrutineer or campaign agent.



This Photo by
Unknown Author is

#### **NO VOTING SUBDIVISIONS**

The 2025 election will be the first election to not have voting subdivisions. This means that voters will not have a designated voting station, instead, they will be able to vote in any voting station on Election Day or the Advance Vote.

#### **CORPORATE AND UNION DONATIONS**

Introduced by Bill 20, corporations, unions, and **Alberta employee organization** are now allowed to make campaign donations in municipal elections.

CHANGES MANDATED BY THE MUNICIPAL AFFAIRS STATUES AMENDMENT ACT (BILL 20)

For a comprehensive list of the discretionary and mandatory changes caused by Bill 20, please visit https://www.assembly.ab.ca/assembly-business/bills/bill?billinfoid=12039&from=bills to review Bill 20.

### **Nomination Process and Deadlines**

The nomination period is between January 1, 2025, and noon on September 22, 2025. Nomination papers can be filed with the Returning Officer or Substitute Returning Officer at any time during this period.

#### **HOW TO SUBMIT YOUR NOMINATION PACKAGE**

Submit the Notice of Intent, either in person or by emailing the Returning Officer.

- 1. Make an appointment with the Chief Electoral Officer to submit your nomination papers.
- 2. Bring physical versions of your nomination papers to your appointment.
- 3. Meet with the Chief Electoral Officer at the City Clerk's Office on the 3<sup>rd</sup> Floor City Hall, 580 1<sup>st</sup> St SE, Medicine Hat, Alberta, T1A 8E6.
  - When you enter the building, go to the Security Desk and inform them of your appointment with the CEO, they will call the City Clerks Office, and you will be accompanied upstairs.
- 4. The CEO will meet you at the counter and during the appointment he will check the papers to make sure they have been properly filled, and a sufficient number of signatures has been collected.
- 5. You will receive an email from the Returning Officer or the Chief Electoral Officer if your nomination package has been approved.

#### Reminders

- No electronic signatures or scanned forms are permitted for the form to be valid.
- Only eligible voters are allowed to sign the nomination papers.
  - a. Information on voter eligibility is available in the <u>Mayor and Councillor Information Package</u> and <u>the Voter Information Page of the City of Medicine Hat's election website.</u>

#### **NOMINATION DAY**



Nomination Day is September 22, 2025(noon). It is the <u>last day</u> for filing nomination papers.

On Nomination Day, nomination papers will be accepted from 8:30 AM until 12:00 noon,

Monday September 22, 2025, security desk, 1<sup>st</sup> floor of City Hall 580 1<sup>st</sup> St SE, Medicine Hat

T1A 8E6.

# Reminder: YOU MUST FILE YOUR NOMINATION PAPERS BEFORE YOU INCUR ANY CAMPAIGN EXPENSE OR ACCEPT ANY CAMPAIGN CONTRIBUTION

#### FORMS THAT MUST BE SUBMITTED

This form can be submitted prior to submitting your nomination package or alongside your nomination package.

- Form 4 Nomination Paper and Candidate's Acceptance (Sections 121, 21, 23, 27, 28, 47, 68.1, 151, Part 5.1 of LAEA)
- Form 5 Candidate Financial Information (Sec 27 (1.1) Local Authorities Election Act). This form needs to be submitted to the Returning Officer at the same time as your Nomination Papers.
- Form 29 Notice of Intent (Sec 147.22). This form needs to be submitted to the Returning Officer before you accept or incur a campaign expense.

#### NOMINATION FORMS & FILING OF FORMS WITH THE RETURNING OFFICER

It is the candidate's responsibility to ensure the form is completed correctly. The Returning Officer is required by the Local Authorities Election Act to reject a candidate's nomination form if it has not been completed correctly. Your form must:

- Be the form provided in the Nomination Package
- Be signed by a minimum of 25 eligible electors as per Bylaw No. 3782
- Nomination papers may be handed in by any person, but will not be accepted by email, mail or fax.
- Nomination papers may be examined by any elector during regular business hours and in the
  presence of the Returning Officer or designate(s). A list of nominees will be posted on the City's
  website.
- Municipal candidates are required to acknowledge the requirement to read and comply with the municipality's code of conduct for Council members. The Code of Conduct can be found here.

#### WHO CAN SIGN YOUR NOMINATION FORM?

Everyone who signs your nomination form must be eligible to vote in this election. Please refer to Section 7 'Who Can Vote?' of this package for more information.

#### WITHDRAWING YOUR NOMINATION

The deadline for withdrawal is before noon on September 23, 2025 (24 hours after close of the nomination period). Your notice of withdrawal must be submitted in person, in writing, to the Returning Officer. Faxed or emailed notices of withdrawal are NOT accepted. Your nomination cannot be withdrawn after the 24-hour deadline has passed, and your name will appear on the ballot. Additionally, you can only withdraw your nomination if, at the close of Nomination Day, the number of remaining candidates meets the positions in the race. In other words, if you are the only candidate running for Mayor, you cannot withdraw your nomination s. 32 LAEA.

Note: Candidates who withdraw their nomination must still file a disclosure statement.

#### How to withdraw your nomination:

Make an appointment with the Chief Electoral Officer to submit your notice of withdrawal.

OR

Visit City Hall during business hours from 8:30 AM to 4:00 PM and ask to speak with the Chief Electoral Officer to withdraw your nomination as candidate.

# Voter Eligibility, Voter ID, Voting Methods and Voting Time

#### WHO CAN VOTE IN A MUNICIPAL ELECTION?

A person is eligible to vote in a municipal election if the person:

- 1. is at least 18 years old.
- 2. is a Canadian citizen.
- 3. resides in Alberta and the person's place of residence is in the local jurisdiction on Election Day (October 20, 2025).

#### **VOTER IDENTIFICATION REQUIREMENTS**

Voters must produce one piece of ID issued by a Canadian government, whether federal, provincial, or local, or an agency of that government, which contains a photograph of the person. Additionally, the

relevant provincial government minister may establish other acceptable types of voter identification (LAEA s. 53.02). Once this list is available, it will be posted on the City's election website.

If a voter does not have ID that contains their address, another voter may vouch for them, con-firming the address of the voter's residence. The person vouching must make a statement, in the presence of an officer at the polling station. This statement of vouching must be made using Form 14 – Statement of Voucher (Local Authorities Election Act Sec. 53).

#### **SPECIAL (MAIL-IN) BALOTS FOR ABSENT VOTERS**

Electors who will be absent from Medicine Hat or homebound on Election Day, Monday October 20, 2025, or who cannot attend an Advance Poll (October 4, 14-18) can register for a mail-in ballot with the Returning Officer.

#### **VOTING TIME FOR EMPLOYEES**

The LAEA provides the following provisions for employees on election day:

- s.58 (1) An employee who is an elector shall, while the voting stations are open on election day, have 3 consecutive hours for the purpose of casting the employee's vote.
- (2) If the hours of the employee's employment do not allow for 3 consecutive hours, the employee's employer shall allow the employee any additional time for voting that is necessary to provide the employee the 3 consecutive hours, but the additional time for voting is to be granted at the convenience of the employer.
- (3) No employer shall make any deduction from the pay of an employee nor impose on the employee or exact from the employee any penalty by reason of the employee's absence from the employee's work during the 3 consecutive hours or part of it.
- (4) Subsections (1), (2) and (3) do not apply if the employer provides for the attendance of an employee who is an elector at a voting station while it is open during the hours of the employee's employment with no deduction from the employee's pay and without exacting any penalty.

#### Voting times for the 2025 election:

Date	Polling Stations	Voting Hours
October 4, 2025	<ul><li>Medicine Hat College</li><li>Holy Family Parish</li></ul>	9:00 AM – 3:00 PM
October 14 – 18, 2025	<ul><li>Holy Family Parish</li><li>Hockey Hounds</li></ul>	10:00 AM - 8:00 PM
October 20, 2025	TBD	10:00 AM – 8:00 PM

#### Results

In past elections, unofficial results were delivered on an hourly basis on Election Night. This was thanks to the tabulator machines that were used at the time and the live reports they could give every hour. This will not be the case in this year's election. Unofficial results will be reported on a station-by-station basis, to free up man hours to count the ballots. Official results will be published online at 12 noon, on Friday October 24, 2025, in accordance with Section 97 of the *Local Authorities Election Act*.

#### Who Can Run For Office?

To become a candidate, you must be:

- a) At least 18 years of age on nomination day,
- b) Be a Canadian citizen,
- c) Have your place of residence located in the local jurisdiction (the City of Medicine Hat) on election day,
- d) A resident of the local jurisdiction (the City of Medicine Hat) for the 6 consecutive months immediately preceding nomination day which is September 22, 2025. Local Authorities Election Act (LAEA) s. 21

#### NOTE ON RUNNING FOR MULTIPLE OFFICES

You are only allowed to run for one office of the same elected authority (LAEA) s. 23. This means that you can only run for one office i.e. Mayor or Councillor, not both.

#### **INELIGIBILITY TO BE A CANDIDATE**

Under s. 22 of the (LAEA), You are ineligible to be a candidate if on nomination day:

- a) You are the auditor of the local jurisdiction for which the election is to be held.
- b) An employee of the City of Medicine Hat unless you take a leave of absence.
- c) If your property taxes are more than \$50 in arrears or you are in default, for any other debt equal or in excess of \$500 to the municipality, for more than 90 days.
- d) If you have been convicted within the previous 10 years of an offense under the Local Authorities Election Act, the Election Finances and Contributions Dis- closure Act or the Canada Election Act (Canada).
- e) You are an employee of the Office of the Ombudsman, unless you take a leave of absence.

#### Other reasons for ineligibility:

- f) If a report was presented or transmitted under Section 147.8 (1) of LAEA (Effect of non-compliance in relation to disclosure statements) in respect to the person.
- g) The Court did not dispense with or extend the time for compliance with Section 147.4 of LAEA (Campaign disclosure statements) by an order under Section 147.8(3).
- h) If on or after the time the person gives written notice or was required to give written notice of intent to be a candidate, the person uses or expends a contribution in contravention of Section 147.23 of the LAEA.

#### FEDERAL GOVERNMENT EMPLOYEES WHO WISH TO BE CANDIDATES

Employees of the federal government who wish to run in the municipal election must request and obtain permission from the Public Service Commission of Canada (PSC) to do so. Further information on this process can be found on this website: <a href="I want to become a candidate - Canada.ca">I want to become a candidate - Canada.ca</a>.

#### **EMPLOYEES OF A MUNICIPALITY WHO WISH TO BE CANDIDATES**

A person who is an employee of a municipality and who wishes to be nominated as a candidate in an election to be held for that municipality may notify that person's employer on or after July 1 in the year of a general election or on or after the day the council passes a resolution to hold a by-election but before the person's last working day prior to nomination day that the person is taking a leave of absence without pay. Sec. 22 (4) Local Authorities Election Act (LAEA).

#### **DISQUALIFICATION OF CANDIDATES**

It is the responsibility of all candidates to determine if they meet the qualification criteria and their circumstances are not outlined by S. 174 Municipal Government Act Disqualification of municipal candidates:

174(1) A councillor is disqualified from council if:

- a) when the councillor was nominated, the councillor was not eligible for nomination as a candidate under the Local Authorities Election Act;
- b) the councillor ceases to be eligible for nomination as a candidate under the Local Authorities Election Act;b.1) the councillor
  - fails to file a disclosure statement as required under section 147.4 of the Local Authorities Election Act before the end of the time-period referred to in section 147.7 of the Local Authorities Election Act, and
  - ii. has not been relieved from the obligation to file a disclosure statement by a court order under section 147.8 of the Local Authorities Election Act;
- c) the councillor becomes a judge of a court or a member of the Senate or House of Commons of Canada or of the Legislative Assembly of Alberta;
- d) the councillor is absent from all regular council meetings held during any period of 60 consecutive days, starting with the date that the first meeting is missed, unless subsection (2) applies;
- e) the councillor is convicted
  - i. of an offence punishable by imprisonment for 5 or more years, or
  - ii. of an offence under section 123, 124 or 125 of the Criminal Code (Canada);

- f) the councillor does not vote on a matter at a council meeting at which the councillor is present, unless the councillor is required or is permitted to abstain from voting under this or any other enactment;
- g) the councillor contravenes section 172;
- h) the councillor has a pecuniary interest in an agreement that is not binding on the municipality under section 173;
- i) the councillor uses information obtained through being on council to gain a pecuniary benefit in respect of any matter;
- j) the councillor becomes an employee of the municipality;
- k) the councillor is liable to the municipality under section 249.
- (2) A councillor is not disqualified by being absent from regular council meetings under subsection (1)(d) if:
  - a) the absence is authorized by a resolution of council passed at any time:
    - i. before the end of the last regular meeting of the council in the 60-day period, or
    - ii. if there is no other regular meeting of the council during the 60-day period, before the end of the next regular meeting of the council, or
  - (b) the absence is in accordance with a bylaw under section 144.1.
- (3) For the purposes of this section, a councillor is not considered to be absent from a council meeting if the councillor is absent on council business at the direction of council.
- (4) A councillor who is disqualified under this section is eligible to be elected at the next general election in the municipality if the person is eligible for nomination under the Local Authorities Election Act.

# **Campaign Financing Rules**

It is each candidate's responsibility to familiarize themselves and follow the campaign financing rules found on "Part 5.1 Election Finances and Contributions Disclosure" of the <u>Local Authorities Election Act.</u>

#### WHEN CAN YOU ACCEPT CAMPAIGN CONTRIBUTIONS AND INCUR CAMPAIGN EXPENSES?

No individual and no person acting for the individual shall accept a contribution or incur a campaign expense unless the individual has given a written notice of intent to be nominated as candidate (LAEA Section 147. 22 (1). This means that you must file your written notice of intention before you incur a campaign expense and accept a campaign contribution.

You may only accept campaign contributions in the campaign period for that election. The campaign period is defined as the period beginning on January 1 of the year immediately following a general election and ending on December 31 immediately following the next general election (LAEA S. 147.1(b)). Thus, the campaign period of the 2025 election will conclude on December 31, 2025, and the campaign period for the 2029 election will start on January 1, 2026, and conclude on December 31, 2029.

Note: The previous edition of the Local Authorities Election Act had exceptions for this requirement. This is no longer the case as per the Bill 20 amendments to the Act, there are no exceptions, you must file your written notice of intent before you accept a campaign contribution and incur a campaign expense.

#### **ALLOWABLE CAMPAIGN EXPENSES**

REMINDER: You must file your nomination papers and written notice of intention before you incur a campaign expense.

An allowable campaign expense includes an expense incurred for, or a non-monetary contribution in relation to:

- (i) The production of advertising or promotional material,
- (ii) The distribution, broadcast, or publication of advertising or promotional material in any media or by any other means during a campaign period, including using a capital asset,
- (iii) The payment of remuneration and expenses to or on behalf of a person for the person's services as a chief financial officer or in any other capacity,
- (iv) Securing a meeting place

Expenses also include in-kind (unpaid).

#### **SELF-FUNDED CAMPAIGNS**

<mark>(4).</mark>

Self-funded campaigns are still allowed, but the rules have changed since the last municipal election. Previously, candidates who self-funded their campaigns were exempt from nomination requirements if they contributed no more than \$10,000 of their own funds. Now, all candidates must give written notice of their intention to run before accepting campaign contributions or incurring expenses. This includes contributions from your own funds to your own campaign.

The limit for contributions of your own money to your campaign that are not reimbursed by the campaign account by the end of the campaign period is an amount of up to \$10,000 (LAEA Section 147.2).

Any amount paid a candidate for campaign expenses from their own funds that is not reimbursed by the candidate's campaign account by the end of the campaign period, is considered a campaign contribution by the Local Authorities Election Act (LAEA Section 147.2 (5)).

#### **DUTIES OF THE CANDIDATE (SEC. 147.3 OF LAEA)**

Candidates MUST open a bank account in their own name or the name of the campaign at the time they provide a written notice of intention to be nominated as a candidate, or as soon as possible after the total amount of contributions exceeds \$1000 in aggregate (s.147.3(1) *LAEA*). All contributions must be deposited in that account, and the money is to be used only for campaign expenses. Contributions of real and personal property and services have a value. Receipts must be issued for every contribution and obtained for every expense. Records of all contributions and expenses are to be kept for 3 years following the election for which they relate.

#### **CANDIDATE CAMPAIGN EXPENSE LIMITS**

The **Expense Limits Regulation** mandates that the campaign expense limit for a mayoral candidate is determined by multiplying \$1 by the population of Medicine Hat. We are mandated to use the population of 63,271 residents (<a href="https://open.alberta.ca/dataset/daab9fce-c2f6-49d1-a433-375b2b7aee24/resource/01bdb590-31fa-4590-8efb-113283b0860a/download/ma-municipal-af-fairs-population-list-2023.pdf">https://open.alberta.ca/dataset/daab9fce-c2f6-49d1-a433-375b2b7aee24/resource/01bdb590-31fa-4590-8efb-113283b0860a/download/ma-municipal-af-fairs-population-list-2023.pdf</a>) for Medicine Hat as determined by the Regulation and the ministerial order from the Minister of Municipal Affairs. Therefore, the campaign expense limit for your campaign is \$63,271.

#### **CAMPAIGN CONTRIBUTIONS AND EXPENSE LIMITS**

**REMINDER:** You must file your nomination papers before you accept a campaign contribution.

#### **Contribution limits Individuals**

Contributions by an individual who ordinarily resides in Alberta, shall not exceed:

- \$5000 in the aggregate to all candidates for election as a councillor in a particular municipality
- \$5000 in the aggregate to all candidates for election as a school board trustee of a particular public-school division under the Education Act
- \$5000 in the aggregate to all candidates for election as a school board trustee of a particular separate school division under the Education Act

#### Corporations, Alberta trade union, or Alberta employee organization contribution limits

Contributions by a corporation other than a prohibited organization, by an Alberta trade union or by an Alberta employee organization shall not exceed during the campaign period:

- (a) \$5000 in the aggregate to all candidates for election as a councillor in a particular municipality,
- (b) \$5000 in the aggregate to all candidates for election as a school board trustee of a particular public-school division under the Education Act, and
- (c) \$5000 in the aggregate to all candidates for election as a school board trustee of a particular separate school division under the Education Act.

#### Contributions limits from a candidate's own money to their campaign

A candidate may contribute up to \$10,000 of their own money to their campaign. This money can't be reimbursed from their campaign funds at the end of the campaign period (LAEA Section 147.2 (4).

#### **PROHIBITED ORGANIZATIONS**

The following types of organizations are prohibited from contributing to a campaign:

- A municipality
- A corporation that is controlled by a municipality
- A non-profit organization that since the last general election has received any of the following from the municipality in which the election will be held:
  - A grant
  - Real property
  - Personal property
- A Metis settlement,
- A board of trustees,
- A public, post-secondary institution, a provincial corporation as defined in the *Financial Administration Act*, including a management body within the meaning of the *Alberta Housing Act*,
- A corporation that does not carry business in Alberta,
- A registered party as defined in the *Election Finances and Contributions Disclosure Act* or the *Canada Elections Act* (Canada),
- An organization designated by the Lieutenant Governor in Council as a prohibited organization.

# **Campaign Disclosure Statements**

The Campaign Disclosure Statement and Financial Statement Form contains the requirement for candidates to disclose the total amount of all contributions that did not exceed \$50 from a single donor, the names and addresses of donors whose total contributions exceeded \$50, total amount of contributions received, and totals from other sources of funding *LAEA* s. 147.4. Disclosure statements **must** be filed with the municipality on or before March 1 following a general election. It is an offence to fail to file a disclosure statement. Candidates will be levied a late filing fee of \$500 s.147.7(2) *LAEA*.

#### **CAMPAIGN DEFICITS**

If a candidate's disclosure statement shows a deficit, the candidate shall eliminate the deficit within 60 days after filing their disclosure statement.

A candidate may make a contribution from the candidate's own funds that does not exceed \$10,000 to reduce a deficit shown on the candidate's disclosure statement.

A candidate who incurs a deficit in campaign finances must eliminate that deficit within 60 days after filing their disclosure statement. An amended disclosure statement must be filed within a further 30 days s.147.52 *LAEA*.

#### **CAMPAIGN SURPLUSES**

If a candidate's disclosure shows a surplus, the candidate, within 60 days after filing their disclosure statement:

- Shall, with respect to any amount that is \$1000 or more, donate an amount to a registered charity that results in the surplus being less than \$1000, and
- May, with respect to any amount that is less than \$1000:
  - I. retain all or any portion of that amount, and
  - II. donate all or any portion of that amount to a registered charity.

A candidate who donates an amount to a registered charity shall, file an amended disclosure statement showing that the surplus has been dealt with within 30 days after the expiration of the 60 days after filing the disclosure statement s. 147.5. *LAEA*.

# **Agents and Scrutineers**

A candidate may choose to appoint an official agent on their nomination form (this is not mandatory), or fill out and submit the Statement of Official Agent or Scrutineer Form (https://www.alberta.ca/municipal- election-forms#toc-1) to the Returning Officer. The candidate assigns the duties of an official agent. A person who has, within the previous 10 years, been convicted of an offense under the Local Authorities Election Act, the Election Finances and Campaign Disclosure Act or the Canada Elections Act is not eligible to be appointed as an official agent or scrutineer s. 69 (1.1) LAEA.

Agents and scrutineers must sign the Statement Form to indicate that that they will maintain and aid in maintaining the absolute secrecy of the vote and bring with them a statement of representation signed by the candidate to the presiding deputy of the voting station before they will be recognized as such at the voting station. The presiding deputy shall not permit the concurrent presence in the voting station of an agent and scrutineer, or the candidate and agent or scrutineer. The presiding deputy may designate the place in the voting station from where they may observe the election procedure s. 69 *LAEA*.

# **Campaign Signage Rules**

#### DO I NEED A PERMIT TO PUT UP CAMPAIGN SIGNAGE?

Election signs do not require a permit, but must comply with the Land Use Bylaw

#### CAN A CANDIDATE PUT UP CAMPAIGN SIGNAGE BEFORE NOMINATION DAY?

You can start campaigning any day after you submit your nomination papers. The Local Authorities Act simply requires that you submit your nomination papers before you start campaigning. However, there are municipal bylaws and provincial and federal laws that place restrictions on where you may place signs and literature. The Bylaws discussed below can be found at this website

https://www.medicinehat.ca/en/government-and-city-hall/bylaws.aspx.

Note: Marking ballots with an X will be the only acceptable way to mark ballots in the 2025 election.

Please do not confuse your supporters with signage that shows different ballot markings.

#### CITY OF MEDICINE HAT RULES AND REGULATIONS THAT GOVERN ELECTION CAMPAIGN SIGNS

#### Land Use Bylaw:

- a) No sign is allowed that in the opinion of a Development Authority may create a hazard to public safety or health.
- b) No sign may obstruct the line of sight of a pedestrian or the driver of a vehicle with respect to access to or egress from a road, Alley or driveway, or detract from the visibility or effectiveness of any Traffic Control Device.
- c) No sign shall obstruct ingress to or egress from a fire escape door, window or other re- quired exit under the Alberta Building Code.
- d) No sign other than a Traffic Control Device may display words such as "STOP". "LOOK", "DANGER", "ONE WAY" or "YIELD" or any similar words, phrases, symbols, lights or characters used in a manner which may mislead, confuse or otherwise interfere with pedestrian or vehicle traffic on a road.
- e) No sign may incorporate a searchlight or strobe lights.
- f) No sign other than a Specialized Sign is allowed on a roof or completely above the parapet of a Building.
- g) No sign may be painted on, or affixed in any manner to, a tree, stone, cliff or other natural object;

- h) No sign other than a Specialized Sign, Sandwich Board, or Portable Sign shall be placed or erected on a Site unless the sign is permanently set into the ground or permanently affixed to a building.
- i) No sign other than a Traffic Control Device shall face an Interior Side Property Line or Rear Property Line that is adjacent to an R-LD or R-MD District.
- j) No sign is allowed within a Corner Visibility Triangle if it blocks or interferes with a line of sight for pedestrians or drivers of vehicles, from any direction.

#### Signs in City parks:

No person shall, without prior written approval from the Parks Manager or their designee:

- a) place or erect any signs or billboards for the purpose of advertising,
- b) distribute any handbills or circulars,
- c) use any audible advertising device.

#### PROVINCIAL PROHIBITIONS AND RESTRICTIONS OF ELECTION SIGNAGE

#### No election signs:

- are allowed within the median of a divided provincial highway,
- can be mounted on highway signs or signposts (these signs will be removed immediately),
- can be placed in or within 500 m of construction zones,
- are allowed to obstruct a driver's view of an intersection in an urban area or within 250 m of an intersection in a rural area.

#### **Election signs must not:**

- display an intermittent flashing, rotating, or moving light,
- be floodlit as this could distract drivers,
- have any moving or rotating parts,
- imitate the wording of a standard or commonly used highway traffic sign, such as stop, stop ahead or yield,
- imitate or resemble a traffic control device, such as a stop sign.

Signs should also not include associated yard lights, area lighting and other lights that, are excessively distracting to the public or create a traffic hazard.

#### **Electrical Poles & Light Poles Must be kept free**

Electrical utility system poles and structures shall be kept free of all materials and equipment not required for the system, unless permitted by the operator of the utility system (s.2-012 Alberta Electrical Utility Code).

#### No Campaign signs at AHS facilities and hospitals

Campaign signage is prohibited on hospital or AHS facility property

#### **CAMPAIGN SIGNAGE AT POLLING STATIONS**

Subject to Section 152.1 of the <u>Local Authorities Election Act</u>, a person who, at an advance vote or on election day, canvasses or solicits votes, or communicates with any person for the purpose of influencing that person's vote, in a voting station or within the boundaries of the land on which a building used for a voting station is located is guilty of an offence and liable to a fine of not more than \$500.

#### WHERE ARE YOU ALLOWED TO PLACE YOUR SIGNS?

#### **Along the Highway**

- the maximum sign size permitted in a highway right-of-way (the existing highway limits) is 1.5 m<sup>2</sup>,
- election signs are temporary and are only permitted from the date the election is called until 3 days after the election,
- signs must meet eligibility criteria (see ineligible election sign types in the previous section)

#### On a Street

Campaign signage should not be placed where it can cause a hazard to traffic and/or pedestrians (Schedule D Land Use Bylaw #4168).

# **Access for Campaigners**

A person to whom a candidate, an official agent or a campaign worker on behalf of a candidate has produced identification in the prescribed form (Form 12 – Campaign Worker Proof of Identification) indicating that the person is a candidate, an official agent or a campaign worker shall not:

- a) obstruct or interfere with, or
- b) cause or permit the obstruction or interference with the free access of the candidate, official agent or campaign worker to each residence in a building containing 2 or more residences or to each residence in a mobile home park (s. 52 LAEA)

# Appendix: Bylaw No. 4805 – Council Code of Conduct

#### **BYLAW NO. 4805**

A BYLAW OF THE CITY OF MEDICINE HAT to establish a Code of Conduct for members of Council.

WHEREAS pursuant to section 146.1(1) of the *Municipal Government Act*, a council must, by bylaw, establish a Code of Conduct governing the conduct of councillors;

**AND WHEREAS** pursuant to section 153 of the *Municipal Government Act*, councillors have a duty to adhere to the Code of Conduct established by the council:

AND WHEREAS the public is entitled to expect the highest standards of conduct from the members that it elects to Council for the City of Medicine Hat;

**AND WHEREAS** the establishment of a Code of Conduct for members of Council is consistent with the principles of transparent and accountable government;

AND WHEREAS a Code of Conduct ensures that members of Council share a common understanding of acceptable conduct extending beyond the legislative provisions governing the conduct of councillors;

**NOW THEREFORE** the Council of the City of Medicine Hat, in the Province of Alberta, duly assembled, enacts as follows:

### 1. Short Title

1.1. This Bylaw may be referred to as the "Council Code of Conduct Bylaw".

### 2. Definitions

- 2.1. In this Bylaw, words have the meanings set out in the Act, except that:
  - (a) "Act" means the Municipal Government Act, R.S.A. 2000, c. M-26, and the Code of Conduct For Elected Officials Regulation, Alta Reg 200/2017 and any amendments or successor legislation;
  - (b) "Administration" means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the City Manager;
  - (c) "Administrative and Legislative Review Committee" means the Administrative and Legislative Review Committee of the Municipality, as it is established or reconstituted;
  - (d) "Administrative Organization Bylaw" means Municipality Bylaw No. 4662, as amended or replaced from time to time;
  - (e) "City Clerk" means the City Clerk of the Municipality, or their delegate;
  - (f) "City Manager" means the chief administrative officer of the Municipality, or their delegate;
  - (g) "City Solicitor" means the City Solicitor of the Municipality, or their delegate;

- (h) "Complainant" means any individual who meets at least one of the criteria in (i) through (vi) below, who has experienced or witnessed behaviour or an activity by a Member that they reasonably believe in good faith, is in contravention of this Bylaw:
  - (i) resides in Medicine Hat;
  - (ii) is an employee of the Municipality;
  - (iii) is a Member;
  - (iv) owns land in Medicine Hat;
  - (v) owns a business in Medicine Hat; or
  - (vi) works in Medicine Hat.
- (i) "Confidential Information" includes information in the possession of, or received in confidence by, the Municipality or Council that the Municipality or Council is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under FOIPP or any other legislation, or any other information that pertains to the business of the Municipality, and is generally considered to be of a confidential nature, including but not limited to information concerning:
  - i) the security of the property of the Municipality;
  - a proposed or pending acquisition or disposition of land, interests or estates in oil and gas assets (including mines or minerals), or other property;
  - iii) a tender that has or will be issued but has not been awarded;
  - iv) contract negotiations;
  - v) employment and labour relations;
  - vi) draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been the subject matter of deliberation in a meeting open to the public;
  - vii) law enforcement matters;
  - viii) litigation or potential litigation, including matters before administrative tribunals; and
  - ix) advice that is subject to solicitor-client privilege.
- (j) "Council" means the municipal council of the Municipality;
- (k) "Discrimination" or "Discriminate" means any act or omission based on race, religious beliefs, colour, gender, mental or physical disability, marital status, age, ancestry, place of origin, family status, source of income, sexual orientation, gender identity, or gender expression, that:
  - i) results in loss of or limit on opportunities to work;
  - ii) offends the dignity of the person, or
  - iii) both of the circumstances in subsections 2.1(k)i) and 2.1(k)ii).

Sexual Harassment is a form of gender discrimination and refers to behaviour that creates or permits a sexualized or sexually charged atmosphere and may be written, verbal, physical, online or electronic, a gesture or display, or any combination of these;

- "FOIPP" means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, c. F-25, any associated regulations, and any amendments or successor legislation;
- (m) "Harassment" or "Harass" means conduct or comment, either one-time or repeated that:
  - i) is demeaning, intimidating, threatening, or abusive;
  - ii) is not trivial or fleeting in nature;
  - causes offence and should have reasonably been expected to offend; and
  - iv) undermines authority or respect in the workplace, or impairs work performance, or limits opportunities for advancement, or creates an intimidating, hostile or offensive work environment;
- (n) "Integrity Commissioner" means a person or persons external to the Municipality, appointed by Council to fulfill the duties of Integrity Commissioner under this Bylaw;
- (o) "Mayor" means the chief elected official of the Municipality as defined in the Act;
- (p) "Member" means a member of Council and includes a councillor or the Mayor;
- (q) "Municipality" means the municipal corporation of the City of Medicine Hat;
- (r) "Respondent Member" means a Member who is the subject of a complaint by a Complainant under this Bylaw; and
- (s) "Social Media" refers to freely accessible, third-party hosted, interactive web-based technologies used to produce, post and interact through text, images, video and audio to inform, share, promote, collaborate or network.

### 3. Purpose and Application

3.1. The purpose of this Bylaw is to establish standards for the ethical conduct of Members relating to their roles and obligations as representatives of the Municipality and to establish a procedure for the investigation and enforcement of those standards.

# 4. Representing the Municipality

### 4.1. Members must:

- (a) act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole:
- (b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;

- (c) conduct themselves in a professional manner with dignity and make every effort to participate diligently in the meetings of Council, committees of Council and other bodies to which they are appointed by Council;
- (d) arrange their private affairs and conduct themselves in a manner that promotes public confidence and will bear close public scrutiny; and
- (e) keep in confidence matters discussed in a closed session at a Council or Council committee meeting until discussed at a meeting held in public.

# 5. Communicating on Behalf of the Municipality

- A Member must not claim to speak on behalf of Council unless authorized to do so.
- 5.2. Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor it is the Deputy Mayor, unless otherwise designated by Council. All inquiries from the media regarding the official Council position on an issue must be referred to Council's official spokesperson.
- 5.3. A Member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member personally disagrees with Council's position.
- 5.4. A Member must not make a statement when they know that statement is false.
- A Member must not make a statement with the intent to mislead Council or members of the public.

#### Use of Social Media

- (a) As public figures and representatives of the Municipality, Members must exercise sound judgment and be prudent in what material they post on Social Media. As with any other communication, Members are accountable for content and confidentiality. Members should exercise caution when engaging in debate or making comments on contentious matters, as feelings and emotions can become enflamed very quickly.
- (b) When engaged in matters pertaining to their roles as Members, in using Social Media, Members must not attempt to disguise or mislead as to their identity or status as an elected representative of the Municipality.
- (c) Members must not use Social Media to publish anything that is dishonest, unsubstantiated, or misleading in any way when engaged in matters pertaining to their roles as Members.

# 6. Respecting the Decision-Making Process

6.1. Decision making authority lies with Council, and not with any individual Member. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present. A Member must not, unless authorized by Council, attempt to bind Council or the Municipality or give direction to

- employees in Administration, agents, contractors, consultants or other service providers or prospective vendors to the Municipality.
- 6.2. Members must conduct and convey Council business and all their duties in an open and transparent manner other than for those matters which by law are authorized to be dealt with in a confidential manner in a closed session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.
- 6.3. Members must accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.
- Members must approach decision-making with an open mind that is capable of persuasion.

# 7. Adherence to Policies, Procedures and Bylaws

- 7.1. Members must uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by the Municipality.
- 7.2. Members must respect the Municipality as an institution, its bylaws, policies and procedures and must encourage public respect for the Municipality, its bylaws, policies and procedures.
- 7.3. A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

# 8. Respectful Interactions with Council Members, Staff, the Public and Others

## 8.1. A Member must:

- act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest;
- (b) treat one another, employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, or intimidation;
- (c) not use indecent, abusive, or insulting words or expressions toward another Member, any employee of the Municipality or any member of the public;
- (d) not Discriminate;
- (e) respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any Member or group of Members;

- (f) foster an environment of trust by showing consideration for every person's values, beliefs and contributions, and supporting and encouraging public participation where appropriate;
- (g) demonstrate awareness of their own conduct, and consider how their words or actions may be perceived as offensive or demeaning;
- (h) demonstrate respect for the decision-making processes of the Municipality, accepting that a decision of Council is a decision of Council as a whole; and
- (i) demonstrate respect for the professional capacities of municipal employees, including employees' responsibility to provide unbiased and objective advice without undue influence from any individual Member or faction of Council.

## 8.2. Members must not:

- involve themselves in matters of Administration, which fall within the jurisdiction of the City Manager as outlined in the Administrative Organization Bylaw;
- (b) use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any employee of the Municipality with the intent of interfering in the employee's duties, including the duty to disclose improper activity; or
- (c) maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

## Harassment

- 8.3. Council Members must not engage in Harassment of other Members of Council, employees of the Municipality or members of the public.
- 8.4. Members must not engage in Sexual Harassment of any person.

## 9. Confidential Information

- 9.1. Members must refrain from disclosing or releasing any Confidential Information acquired by virtue of their office except when required by law or authorized by Council.
- 9.2. In the course of their duties, Members may also become privy to Confidential Information received outside of a closed session. Members must not:
  - disclose or release by any means to any member of the public, including the media, any Confidential Information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council;
  - (b) access or attempt to gain access to Confidential Information in the custody or control of the Municipality unless it is necessary for the performance of the Member's duties and is not otherwise prohibited by Council, and only then if the Confidential Information is acquired through appropriate channels in accordance with applicable Council bylaws and policies; or

(c) use Confidential Information for personal benefit or for the benefit of any other individual or organization.

# 10. Pecuniary Interest

- 10.1. Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.
- 10.2. Declaring a pecuniary interest:
  - (a) The determination as to whether or not a Member has a pecuniary interest is made by the particular Member involved. Where a Member has determined that a pecuniary interest exists, that Member must comply with the requirements set out in section 172 of the Act.
  - (b) It is the individual responsibility of each Member to seek independent legal advice, at the Member's sole expense, with respect to any situation that may result in a pecuniary or other conflict of interest, subject to any City policy or Council approval for the reimbursement of the Member's legal expenses.

### 11. Conflicts of Interest

- 11.1. Members are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise.
- 11.2. Members must not engage in any activity, pecuniary or otherwise, which is incompatible or inconsistent with the ethical discharge of official duties in the public interest. Without limiting the generality of the foregoing, Members must not use any information gained in the execution of office that is not available to the members of the public for any purpose other than official duties.

# 12. Improper Use of Influence

- 12.1. A Member must not use the influence of the Member's office for any purpose other than for the exercise of the Member's official duties.
- 12.2. A Member must not act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a committee of Council or any other body established by Council.
- 12.3. Members must not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 12.4. Members must refrain from using their positions to obtain employment with the Municipality for themselves, family members or close associates.

# 13. Use of Municipal Assets and Services

- 13.1. Members are stewards of public resources and must avoid waste, abuse and extravagance in the use of public resources.
- 13.2. Members must use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member, subject to the following limited exceptions:
  - (a) municipal property, equipment, service, supplies and staff resources that are available to members of the public may be used by a Member for personal use upon the same terms and conditions as members of the public, including booking and payment of any applicable fees or charges; and
  - (b) electronic communication devices, including but not limited to desktop computers, laptops, tablets and smartphones, which are supplied by the Municipality to a Member, may be used by the Member for personal use, provided that the use is not for personal gain, offensive or inappropriate.

# 14. Orientation and Other Training Attendance

- 14.1. Every Member must attend the orientation training offered by the Municipality within ninety (90) days after the Member takes the oath of office.
- 14.2. Every Member is encouraged to attend any other training organized at the direction of Council for the benefit of Members throughout the Council term.

# 15. Remuneration and Expenses

- 15.1. Members must be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies and procedures regarding claims for remuneration and expenses.
- 15.2. Members must not accept gifts, hospitality or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.
- 15.3. Gifts received by a Member on behalf of the Municipality as a matter of official protocol which have significance or historical value for the Municipality must be left with the Municipality when the Member ceases to hold office.

# 16. Complaint and Informal Resolution Process

- 16.1. A Complainant may address the prohibited conduct as follows:
  - (a) advise the Respondent Member that the behaviour or activity contravenes this Bylaw;

- encourage the Respondent Member to acknowledge and agree to stop the behaviour or activity and to avoid future occurrences of the behavior or activity;
- (c) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
- (d) if applicable, confirm to the Respondent Member their satisfaction with the response of the Respondent Member; or, if applicable, advise the Respondent Member of their dissatisfaction with the response;
- (e) consider the need to pursue the matter in accordance with the formal complaint process outlined in Section 18 below, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

#### 17. Mediation

- 17.1. All Complainants are encouraged to initially pursue an informal complaint procedure as the first means of stopping and remedying a behaviour or activity that is prohibited by this Bylaw.
- 17.2. The Complainant may request the City Clerk or the City Manager to assist in an informal discussion of the alleged complaint with the Respondent Member in an attempt to resolve the issue.
- 17.3. The Complainant and the Respondent Member may choose to pursue formal mediation. If the Complainant and the Respondent Member agree to mediation, they must jointly select a mediator. If they cannot agree on the choice of mediator or if the selected mediator is not available to commence the mediation within thirty (30) days, the City Manager in consultation with the City Solicitor must select a mediator.
- Costs of the mediation process are the responsibility of, and must be paid by, the Municipality.
- 17.5. If the mediator concludes at any time that a mediated resolution of the complaint is not possible, the mediator must send the file to the Integrity Commissioner for the complaint to proceed to investigation under the formal complaint process. The mediator will not provide any report or assessment on the issue.
- 17.6. If a complaint is settled on terms satisfactory to the Complainant and the Respondent Member as a result of mediation, the complaint file must be closed.
- 17.7. It is not a precondition or a prerequisite that a Complainant must pursue an informal complaint process before pursuing the formal complaint process.

# 18. Formal Complaint Process

18.1. A Complainant may file a formal complaint with the Integrity Commissioner via the Municipality's website or by contacting the City Clerk department to obtain contact information for the Integrity Commissioner,, if:

- (a) the Complainant reasonably believes in good faith that a Member has contravened this Bylaw; or
- (b) an informal resolution of the complaint was initiated by the Complainant, but the complaint could not be resolved informally.
- 18.2. A complaint must be made in writing, dated and legibly signed.
- 18.3. The complaint must contain the following information:
  - (a) the name of the Complainant and the Respondent Member;
  - (b) the date of the conduct which is the subject of the complaint;
  - (c) the nature of the conduct which is the subject of the complaint; and
  - (d) other relevant information to the complaint, which may include the names of witnesses.
- 18.4. A complaint under this Bylaw must be filed with the Integrity Commissioner not later than ninety (90) days after the date the Complainant became aware of the conduct giving rise to the complaint.

# 19. Formal Complaint Initial Assessment

- 19.1. Within seven (7) days of receiving a complaint under this Bylaw, the Integrity Commissioner must:
  - (a) notify the Respondent Member and provide them with a copy of this Bylaw and the complaint; and
  - (b) advise Council of the receipt of a complaint at the next Council meeting during the closed session.
- 19.2. The Integrity Commissioner must conduct an initial assessment of the complaint.
- 19.3. Following an initial assessment, the Integrity Commissioner may dismiss a complaint in the following circumstances:
  - (a) the complaint is frivolous.
  - (b) the complaint is vexatious,
  - (c) the complaint is not made in good faith.
  - the complaint is without grounds or there are insufficient grounds for conducting an investigation,
  - (e) the Complainant is out of time in accordance with section 18.4,
  - the conduct is covered by other applicable legislative appeal, complaint or court process, or
  - (g) the complaint is otherwise outside the scope of this Bylaw.
- 19.4. The Integrity Commissioner may request further information from the Complainant to assist in determining whether there are reasonable grounds for believing that the Respondent Member has breached this Bylaw.

- 19.5. Within thirty (30) days of receipt of a complaint, the Integrity Commissioner must make a determination under section 19.3 and notify the Complainant, the Respondent Member and Council in writing providing reasons if the Integrity Commissioner dismisses the complaint. The Integrity Commissioner may extend the thirty (30) day period under this section 19.5 if it is not practically possible to make a determination within that time period.
- 19.6. A determination under section 19.3 made by the Integrity Commissioner is final and may not be reviewed or reconsidered by Council.
- 19.7. Prior to making a determination under section 19.3, the Integrity Commissioner may inform the Complainant and the Respondent Member of the option to attempt a voluntary dispute resolution process to try to resolve the complaint.
- 19.8. For the purposes of an initial assessment conducted under this section or an investigation under section 20, if communication between Council and the Integrity Commissioner is necessary, the Chair of the Administrative and Legislative Review Committee shall be Council's sole point of Contact with the Integrity Commissioner, unless the Chair is the subject of the complaint, in which case the vice Chair will be the sole point of contact with Council.
- 19.9. Except as expressly authorized by this Bylaw, all proceedings regarding an initial assessment of a complaint must be kept confidential.
- 19.10. The Municipality is responsible for the costs of the assessment conducted by an Investigator.

# 20. Investigation

- 20.1. If the Integrity Commissioner does not dismiss the complaint after the initial assessment, the Integrity Commissioner must conduct an investigation of the complaint.
- 20.2. The Integrity Commissioner may conduct the investigation as considered appropriate, but the process must include fair process for the Respondent Member, including the opportunity to seek legal counsel and for the Respondent Member to provide a response to the complaint.
- 20.3. The Integrity Commissioner may request further information from the Complainant to assist in determining whether there are reasonable grounds for believing that the Respondent Member has breached this Bylaw. The Respondent Member is entitled to disclosure of all relevant information gathered during an investigation.
- 20.4. Once all relevant information regarding the complaint has been provided to the Respondent Member by the Integrity Commissioner, the Respondent Member will have ten (10) business days to provide the Integrity Commissioner with a written response to the allegations, including any supporting documents. This deadline may be extended by the Integrity Commissioner if the Integrity Commissioner concludes that it is not practically possible for the Respondent Member to provide a response within that time period.

- 20.5. Upon a Complainant's complaint being directed to investigation, the Integrity Commissioner may inform the Complainant and the Respondent Member of the option to attempt a voluntary dispute resolution process to try to resolve the complaint.
- 20.6. The Integrity Commissioner must complete the investigation as soon as possible in the circumstances and in any event no later than ninety (90) days from the date of the completion of the initial assessment, unless the Integrity Commissioner determines that doing so is not practically possible, subject to any suspension under section 20.7.
- 20.7. Despite any other provision in this Bylaw regarding the timing to deal with a formal complaint, if the Integrity Commissioner receives a complaint regarding a Member within two (2) months before a general municipal election, the obligations under this Bylaw are suspended until after the first organizational meeting of Council following the general municipal election.

# 21. Member Conduct not in Breach

- 21.1. If after reviewing all pertinent information the Integrity Commissioner determines on a balance of probabilities that the Respondent Member did not violate this Bylaw, the Integrity Commissioner will advise Council, the Complainant and the Respondent Member of the decision, in writing, and will not disclose the fact of the investigation except as set out in this section 21.1.
- 21.2. The Integrity Commissioner's decision that a Respondent Member did not violate this Bylaw is final and may not be reviewed or reconsidered by Council.

## 22. Member Conduct in Breach

- 22.1. If after reviewing all pertinent information the Integrity Commissioner determines on a balance of probabilities that the Respondent Member did violate this Bylaw, the Integrity Commissioner will:
  - prepare a written report explaining their decision that the Member violated this Bylaw;
  - (b) make a recommendation as to the appropriate sanction;
  - (c) if the Integrity Commissioner determines that a contravention of this Bylaw occurred but:
    - i) the Respondent Member took all reasonable steps to prevent it; or
    - ii) the breach was trivial or committed through inadvertence or a genuine error of judgment.

the Integrity Commissioner must state this in their decision and recommend that no sanction be imposed;

(d) advise the City Manager that the Integrity Commissioner has a decision to be provided in a verbal report to Council in the closed session of the next Council meeting:

- (e) not less than twenty-four (24) hours nor more than forty-eight (48) hours prior to the start of the Council meeting at which the verbal report is to be considered, provide a copy of the decision, on a strictly confidential basis, to the Respondent Member;
- (f) provide all other Members with a copy of the decision on a strictly confidential basis at the same time the Integrity Commissioner provides their verbal report to Council; and
- (g) following the closed meeting the Integrity Commissioner's decision will be reviewed and redacted in compliance with FOIPP and made publicly available.
- 22.2. The Integrity Commissioner's decision that a Respondent Member violated this Bylaw is final and may not be reviewed or reconsidered by Council. Despite the finality of the Integrity Commissioner's decision on whether a Respondent Member violated this Bylaw, Council must decide at a regular Council meeting or a special Council meeting called to discuss the item whether to adopt the Integrity Commissioner's recommendation as to sanction or whether to substitute a different lesser or greater sanction.

## 23. General

- 23.1. The Municipality is responsible for the costs of the investigation conducted by an Integrity Commissioner.
- 23.2. Except as expressly authorized by this Bylaw, all proceedings regarding the investigation must be kept confidential.
- 23.3. A Respondent Member is entitled to be represented by independent legal counsel, at the Member's sole expense, subject to Council approval for the reimbursement of the Member's legal expenses.

#### 24. Advice and Recommendations

- 24.1 A Member may request the Integrity Commissioner to give advice and recommendations on any matter respecting obligations of the Member under this Bylaw.
- 24.2 The Integrity Commissioner may, in writing, provide the Member with advice and recommendations, which:
  - shall state the material facts either expressly or by incorporating facts stated by the Member;
  - (b) shall be based on the facts referred to in clause (a); and
  - (c) may be based on any other considerations the Integrity Commissioner considers appropriate.
- 24.3 Advice and recommendations under this section are confidential until released by or with the consent of the Member.

- 24.4 The Integrity Commissioner may make any inquiries that the Integrity Commissioner considers appropriate in order to provide advice and recommendations under section 24.1.
- 24.5 If a Member has, with respect to advice and recommendations under section 24.1:
  - (a) communicated the material facts to the Integrity Commissioner; and
  - (b) complied with any recommendations contained in the advice and recommendations of the Integrity Commissioner,

the Integrity Commissioner will dismiss any complaint arising from those facts and the compliance of the Member with the written recommendation of the Integrity Commissioner. Despite 24.3, in the dismissal, the Integrity Commissioner may indicate the reason for the dismissal is the Member's compliance with the advice and recommendations of the Integrity Commissioner, but the Integrity Commissioner shall not include the specific advice or recommendations in the advice under s. 21.1.

#### 25. Sanctions

- 25.1. During the regular Council meeting or a special Council meeting at which sanction will be discussed, the following process shall apply:
  - (a) The Respondent Member may provide oral comments to Council in addition to any written response provided. The Respondent Member is entitled to have legal counsel present during the Council meeting, at the Respondent Member's sole expense. Council may ask questions of the Respondent Member.
  - (b) Once the Respondent Member has completed any oral comments, the Respondent Member and legal counsel for the Respondent Member, if any, and the Complainant if the Complainant is a Member, must leave the meeting.
  - (c) Following the departure of the individuals identified in subsection 25.1(b), Council must determine the appropriate sanction having regard for the severity and frequency of the conduct.
- 25.2. Sanctions that may be imposed on a Respondent Member, by Council, upon a finding by an Integrity Commissioner that the Respondent Member has breached this Bylaw may include:
  - (a) a letter of reprimand addressed to the Respondent Member:
  - (b) requesting the Respondent Member to issue a letter of apology;
  - (c) publication of a letter of reprimand or request for apology and the Respondent Member's response;
  - (d) suspension or removal of the appointment of a Respondent Member as the deputy chief elected official or acting chief elected official under section 152 of the Act;
  - (e) suspension or removal of the chief elected official's presiding duties under section 154 of the Act;

- (f) suspension or removal from some or all Council committees and bodies to which Council has the right to appoint members; reduction or suspension of remuneration payable to the Respondent Member corresponding to a reduction in duties, excluding allowances for attendance at council meetings;
- (g) any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a Respondent Member from fulfilling the legislated duties of a councillor and the sanction is not contrary to the Act.

# 26. Compliance and Enforcement

- 26.1. Members must uphold the letter and the spirit and intent of this Bylaw.
- 26.2. Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Bylaw.

### 26.3. Members must not:

- undertake any act of reprisal or threaten reprisal against a Complainant or any other person for providing relevant information to Council or to any other person; or
- (b) obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.

#### 27. Review

27.1. This Bylaw must be brought forward for review at the beginning of each term of Council at least once every four (4) years from the date that this Bylaw is passed, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Members.

### 28. Interpretation

28.1. In this Bylaw, the words "shall" and "must" denote a mandatory intention. The word "may" is permissive.

## 29. Repeal and Coming Into Force

- 29.1. Subject to section 30.1, Bylaw No. 4492 is repealed.
- 29.2. This Bylaw comes into force on the date it is passed.

### 30. Transitional

- 30.1 Any code of conduct complaint brought against a Member where the allegation involves conduct that occurred prior to the date this Bylaw comes into force will be dealt with in accordance with Bylaw No. 4492.
- 30.2 Any complaints received about Member conduct where the allegation involves conduct that occurred on or after the date this Bylaw comes into force will be held

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in abeyance until such time as a new Integrity Commissioner is hired by Council. The procedural deadlines set out in sections 19.1, 19.6 and 20.6 shall not apply until an Integrity Commissioner commences work for the Municipality. A public notice will be placed on the Municipality's website to notify the public of the date the Integrity Commissioner commences work for the Municipality.

READ A FIRST TIME in open Council on March 4, 2024.

READ A SECOND TIME in open Council on September 16, 2024.

READ A THIRD TIME in open Council on September 16, 2024.

SIGNED AND PASSED on September 17, 2024

Linnsie Clark

**MAYOR: Linnsie Clark**