



City of Weyburn
157 3rd St. NE | PO Box 370 | S4H 2K6
weyburn.ca



Local Government By-election 2023

City of Weyburn

Candidates Booklet

Forward

“ Becoming a member of Weyburn City Council, you become part of a team that makes decisions affecting all ratepayers objectively and fairly. You are given important roles and responsibilities, and must work together to maintain the public’s confidence.

- Donette Richter, City of Weyburn Returning Officer

This document has been prepared as a guide to assist individuals who are interested in becoming candidates for municipal council.

The material presented highlights pertinent information, an overview of the election process in Weyburn, SK, and requirements to run as a candidate.

The information contained in this document has been compiled from the various statutory provisions as follows:

- [The Local Government Election Act, 2015](#)
- [The Local Government Election Regulations, 2015](#)
- [The Cities Act](#)
- [The Procedure Bylaw 2018-3390](#)



For further information on the materials contained in this document, or if you have any questions in regard to municipal elections, contact the returning officer for the City of Weyburn at (306) 848-3209 or election@weyburn.ca.

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Potential Candidates

The City of Weyburn provides services that have a direct impact on your daily life. Decisions made by these leaders have an effect on citizens' quality of life, well-being, access to services and much more.

Elections are held every four years in order to elect a mayor and six councillors. By-elections may also take place should a vacancy on city council occur.

This guide contains information about rules for municipal elections, such as who is eligible to run for office, nomination requirements and rules about campaigning.

The returning officer is responsible for all matters relating to an election, including calling for nominations, receiving nominations, appointing election officials, and receiving and declaring election results.

The *Local Government Election Act, 2015* amendments took effect in January 2020. Those familiar with rules for the 2016 municipal elections should be aware of changes to the legislation.

View the [complete list of amendments](#) provided by Government Relations.

Roles and Responsibilities

For Mayor and Councillors

Weyburn City Council consists of a mayor and six councillors elected for a term of four years. Due to the May 2023 by-election, the term for the incoming councillor will be to November 2024.

City Bylaws

Local legislation is in the form of bylaws. Generally, these remain in effect until they are amended or repealed.

Numerous bylaws have been enacted and are available for viewing on the City of Weyburn's website www.weyburn.ca. Section 8 of *The Cities Act* gives council the general power to pass bylaws that are considered expedient for:

- a) the peace, order and good government of the city;
- b) the safety, health and welfare of people and the protection of people and property;
- c) people, activities and things in, on or near a public place or place that is open to the public.

Council Powers

The Province of Saskatchewan, through *The Cities Act* and, to a lesser extent, *The Planning and Development Act*, sets out the powers of municipal governments. Council can do only those things which the above Acts say it can do.

The mayor is the chief executive officer of the city. The city manager is the chief administrative officer of the city and is in charge of day-to-day city operations and employees.

Council Role

All decisions of council must be made at a meeting open to the public at which a majority of council members are present. As a participant in these meetings, it is important to listen to other members of council and to collectively reach decisions that are in the best interest of the municipality.

An individual member of council does not have the power to commit the municipality to any expenditure or to direct the activities of the municipal employees. The council, as a whole, may perform and exercise the duties and powers imposed and conferred by legislation, only by passing resolutions.

Council Responsibility

Council's job is to make decisions about municipal services, establish policies and to provide direction for the operation of the municipality. Council must also ensure that the municipality's financial resources are used as efficiently as possible.

The jurisdiction of council is exercisable only within the boundaries of the City of Weyburn, unless otherwise expressed by legislation.

Council Meetings

Regular meetings of council are held the second and fourth Monday of each month at 6:00 p.m.

Strategic planning meetings of council are held at 5:00 p.m., prior to regular council meetings. The mayor and councillors attend special meetings, committee and board meetings, and various public meetings and functions with several of these meetings occurring in the evenings.

All meetings are conducted in accordance with the [Procedures Bylaw 2018-3390](#), which is available on the city's website, and a hard copy will be provided to you, if elected.



Council

Mayor and council are part of a team that will develop and evaluate policies and programs for the municipality. Council ensures that services are delivered to residents and property owners in the most efficient way possible.

The City of Weyburn has an information technology allowance which provides financial support to city council for the purchase of electronic equipment to assist council in the duties of their position.



Mayor

The mayor is the chief executive officer of the city and is elected for a four-year term.

The mayor is a member of city council and an ex-officio member of all council committees and of all bodies established by council. In addition to all of the duties that a councillor has, the mayor is also responsible for:

- a) chairing the regular council meetings and ensuring the *Procedures Bylaw* rules are followed;
- b) along with the city clerk, signing all bylaws which council passes, as well as contracts and agreements, in accordance with the *Purchasing Policy* guidelines, which the city enters into;
- c) represents the City of Weyburn, often bringing greetings at public functions, grand openings and other events or media requests.

An office at city hall is provided for the mayor, as well as administrative assistant services.

The salary of the mayor in 2023 is \$5,072.02 per month, plus \$141.54 per diem for each day on out of town business. Group insurance coverage is available.

Councillor

In general terms, councillors have the following duties:

- a) to represent the public and to consider the welfare and interests of the city;
- b) to participate in developing and evaluating the policies, services and programs of the city;
- c) to participate in regular council meetings, strategic planning meetings of council and meetings of other bodies to which they are appointed by council;
- d) to ensure that administrative practices and procedures are in place to implement the decisions of council;
- e) to keep in confidence matters discussed 'in-camera' at regular or strategic meetings until discussed at a meeting held in public;
- f) to maintain the financial integrity of the city; and
- g) to perform any other duty or function imposed on councillors by *The Cities Act* or any other Act imposed by council.

Councillors are elected for a four-year term. Although the position of councillor is considered to be part-time, there is a substantial time commitment involved. Apart from attending council meetings, councillors are required to sit on approximately three other city appointed committees or boards.

Due to the May 2023 by-election, this term will be up for re-election in November 2024.

Each councillor is appointed deputy mayor for two months every year in order to fulfill the obligations of the mayor in their absence, and to assist the mayor in areas such as providing civic greetings at public events.

Offices are not provided at city hall for councillors. However, a city email, desk, telephone and administrative services can be made available when required. The salary for councillors in 2023 is \$1,801.00 per month, plus \$141.54 per diem for each day on out of town business. Group insurance coverage is available.



Council Candidate Information

Code of Ethics

Members of council are expected to abide by the [Code of Ethics Bylaw 2016-3243](#).

Public Disclosure

Section 116 of *The Cities Act* requires council members to file a 'Public Disclosure Statement' with the city clerk within 30 days after being elected, in order to reflect information which could create a conflict of interest.

The statement requires the disclosure of employer, corporate interests, partnerships, business arrangements, property holdings, contracts and agreements that the member of council and their spouse or dependent child has.

Every member of council who has any change in information provided therein is to provide an update as soon as reasonably practical and if not contained within the statement when a "Conflict of Interest" is stated, then at that time.

The city clerk is required to make each public disclosure statement available for public inspection during normal business hours.

Council Orientation

Following the by-election, the incoming councillor will be provided orientation; date and time to be determined.

Election Day

By-election day is Wednesday, May 31, 2023. Polls will be open from 9:00 a.m. - 8:00 p.m.

Oath of Office

The newly elected councillor will officially become a member of Weyburn City Council upon reciting their oath of office at the regular meeting of city council in council chambers on the second floor of city hall, to be held at 6:00 p.m. on Monday, June 12, 2023.

Balance of 2023 Meetings

Regular council meetings are typically set in the fall for the following year. Meetings are typically held the 2nd and 4th Monday of the month, unless there is a statutory holiday and then the meeting is held the first day following the statutory holiday. The public is welcome to attend any of these meetings to view the proceedings.

All council meetings commence at 6:00 p.m. sharp and, if necessary, a strategic planning meeting of council is held at 5:00 p.m. prior to the regular meeting.

Nominations

The returning officer will place an advertisement in the city page of the *Weyburn Review* on April 5, 2023 calling for nominations. Nomination papers may be filed at the returning office, located in city hall, any time during normal office hours (8:00 a.m.- 4:30 p.m., Monday through Friday) starting April 11 to April 25, 2023.

Nomination Day

Nomination day is April 26. On this day, nomination papers will only be accepted from 9:00 a.m. - 4:00 p.m. After 4:00 p.m. on April 26, nominations will be closed.

Nomination Papers

A person may be nominated as a candidate for election by submitting nomination papers to the returning officer for the following:

- a) for the office of councillor, submitting a nomination paper in [Form I](#) of the *Local Government Election Regulations, 2015*;

Subject to the requirements of Section 67(2) of the *Local Government Elections Act, 2015*, nomination papers may be submitted:

- a) personally or by agent by personal service to the returning office in city hall at 157 3rd St. NE;
- b) by registered or ordinary mail to PO Box 370 | Weyburn, SK | S4H 2K6;
- c) by email to election@weyburn.ca.

A nomination paper must be signed by:

- a) in the case of councillor, at least five (5) eligible voters of the City of Weyburn.

As per Section 67(6)(d) of the *Local Government Election Act, 2015* the nomination paper for councillor must be accompanied by a completed public disclosure form and will be provided along with the nomination paper.

No nomination is deemed complete unless it is completed in its entirety. The nominee's acceptance of nomination statements must be signed by the person nominated and must be witnessed by two people and must be accompanied by a completed public disclosure form.

Nomination papers are open for public viewing at the returning office at city hall during regular office hours.

Withdrawal of Nomination

A candidate may withdraw their nomination by filing with the returning officer, a written statement to that effect, signed by the person and two witnesses or by the returning officer, at any time during normal office hours during the period from receipt of the person's nomination until 24 hours after the close of nominations (4:00 p.m. on April 26).

Other Requirements

- Only one person can be nominated for election on each nomination paper.
- An elector may sign the nomination papers of more than one person.
- No candidate shall nominate themselves.
- The onus to file a bona fide nomination paper is on the person nominated for election to an office.

Receipt for Nomination Paper

If a nomination paper is submitted to the returning officer within the time specified, the returning officer shall, if satisfied that the form is complete, issue a receipt in the prescribed form to the candidate or the candidate's agent.

Candidate Profile

In order to assist voters in the election process, all candidates for councillor must submit candidate profile information by 4:00 p.m. on April 28. This information will be posted on the city's website. The profiles may include a statement of up to 150 words, a recent head-and-shoulders photograph of the candidate and contact information.

Profiles can be submitted by email to election@weyburn.ca or in hard-copy format to the returning office at 157 3rd St. NE.

The returning officer and the City of Weyburn are not responsible for verifying or investigating the accuracy of information provided, or for the content or accuracy of contact information.

The returning officer reserves the right to refuse to include any statement deemed to be obscene or offensive.

The requirements for candidates profiles can be found at www.weyburn.ca/elections/candidate-information/forms or for more information, please contact the returning officer at (306) 848-3209 or at election@weyburn.ca.

Less or Equal than Vacancies

Upon the close of nominations, if the number of the persons remaining in nomination is equal to the number required for that elected office (*one for the case of this by-election*), the candidate nominated shall be declared duly elected and notice in the prescribed form will be given.

Upon the close of nominations, if the number of the persons remaining in nomination is less than the number required for that elected office, then a second call for nominations in the prescribed form will be advertised for the remaining vacant office.

Order of Names on Ballot

The order of the names on the ballot for the office of councillor will be determined by pulling the names out of a receptacle in accordance with Section 91(2) of the *Local Government Election Act, 2015*.

Qualifications of Candidates

Council Candidates

A person is qualified to be nominated and to hold office as mayor or councillor if the person:

1. on the day of the election, is at least 18 years of age; and
2. at the time they submit the nomination paper, is a Canadian citizen, has resided in Weyburn for at least three consecutive months and in Saskatchewan for at least six consecutive months, immediately preceding the date on which they submit the nomination paper.

None of the following persons are qualified to be nominated or elected to hold office as a member of council:

- a judge of a court
- an auditor or solicitor of the municipality

No person is disqualified from being nominated, elected or holding office as a member of council by reason of having an interest in a contract with the City of Weyburn.

A person can run for the office of mayor or councillor providing they qualify for the offices they wish to run in.

Rules of Residence

The following are the rules of residence, as set out in Section 3 of the *Local Government Election Act, 2015*:

- a) the residence of a person is the place in which the person's habitation is fixed and to which, when the person is absent from that place, they have the intention of returning.
- b) a person who is temporarily absent from the place where the person's habitation is fixed does not lose their residence.
- c) no person, while they remain in Saskatchewan, loses their residence until they have acquired another residence; and
- d) no person has more than one residence in Saskatchewan and, if the person has more than one home in Saskatchewan, they shall elect one home as their residence.

Eligibility to Vote

The following are the rules for qualified electors, as set out in Section 36 of the *Local Government Election Act, 2015*:

Every person is qualified to be registered as an elector in a municipality:

- (a) who is a Canadian citizen on the day of the election;
- (b) who is of the full age of 18 years on the day of the election; and
- (c) who, on the day of the election:
 - (i) in the case of a municipality:
 - (a) has resided in the municipality, or on land now in the municipality, for at least three consecutive months and has resided in Saskatchewan for at least six consecutive months immediately preceding election day;
 - OR**
 - (b) is the owner of assessable land situated in the municipality, or of land now situated in the municipality, for at least three consecutive months and has resided in Saskatchewan for at least six consecutive months immediately preceding election day.

Important Dates

April 11
Nominations
open

April 26
Nominations
close

May 19
Electronic mail-in
ballot applications
close

April 17
Mail-in ballot ap-
plications open

May 3
Notice of polls

Advance Poll

An advance poll will be available for eligible electors at the following times and location:

- Thursday, May 25 from 5:00-9:00 p.m. *Credit Union Spark Centre (540 5th St. NE)*
- Saturday, May 27 from 1:00-5:00 p.m. *Credit Union Spark Centre (540 5th St. NE)*

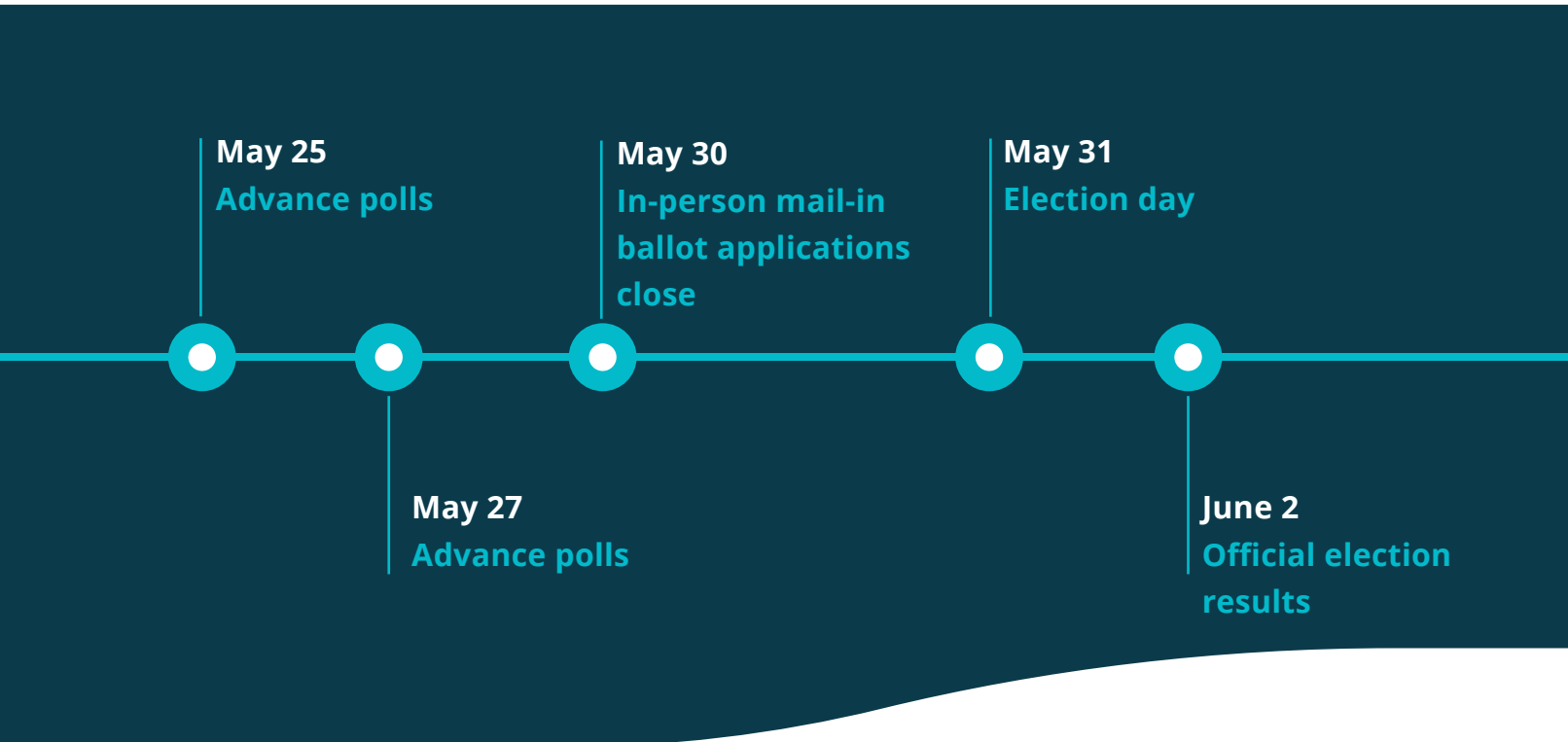
Special Poll

No special polls are scheduled for this by-election. Please contact the returning officer if you care for a patient or are a resident receiving care in a facility and are unable to attend an established polling place.

Homebound Poll

No homebound polls are scheduled for this by-election. Please contact the returning officer if you require assistance due to disability or limited mobility and are unable to attend an established polling place.

Important Dates Continued



Mail-in Ballot

The City of Weyburn provides the option of mail-in ballots for voters who anticipate not being able to vote on election day or the dates of the advance polls. Council has passed a bylaw to set out the process to be followed for the mail-in ballots as set out in the *Local Government Election Act, 2015*.

The candidates or their agents have the right to be present during the counting process of the mail-in ballots which will take place at 8:00 p.m. at city hall on election day.

Election Day

By-election day is Wednesday, May 31, 2023. The poll will be open from 9:00 a.m.- 8:00 p.m.

Election Results

On election night, candidates may call (306) 848-3209 for unofficial information on results or go to the City of Weyburn website at www.weyburn.ca.

Results will be officially declared by the returning officer at 1:00 p.m. on June 2, 2023, in the returning office on the main floor of city hall.

Additional Information



FORM OF BALLOT

The ballot will contain the names of all duly nominated candidates arranged in the order that names are withdrawn from a receptacle. The information printed on the ballots respecting the candidates will be based on the information provided on the candidate nomination form. Candidates are, therefore, encouraged to complete the form carefully.



CANDIDATE AGENTS

Candidates and/or not more than two of their duly authorized agents are allowed to be present in the polling place during the hours the poll is open.

Candidates and/or one of their agents are allowed to be present in the poll during the count of the vote.

Candidates wishing to appoint agents must complete an “Appointment of Candidate’s Agent” form for each agent. Additional copies of the form are available from the returning officer in city hall.

The agent must present the appointment form to the deputy returning officer at the poll, and must make a declaration before the deputy returning officer. Once the agent makes the declaration, the agent is permitted to be at the poll in a location designated by the deputy returning officer so that they may observe the conduct of the election.

An agent is permitted to observe, but in no way interfere with, the process of the election. During the time that the poll is open, an agent may object to the entitlement of any person intending to vote if the agent has reason to believe the person is not entitled to vote. In such cases, the deputy returning officer will re-confirm the information sworn on the registration/poll book form with the voter. If the voter indicates that the declaration is correct:

- the objection raised by the agent will be noted on the registration/poll book form; and
- the name of the agent raising the objection will be noted; and
- the entry will be initialed by the deputy returning officer.

Should the voter indicate that they made a mistake in completing the registration form and is not entitled to vote:

- the information will be noted on the registration/poll book form; and
- the voter will not be issued a ballot and will forfeit the right to vote.

At the close of the poll, agents may only observe the counting of the ballots, but shall not assist or handle the ballots in any way.



COUNTING BALLOTS

In the presence of candidates or their agents, the deputy returning officer shall perform the counting of the votes.

Candidates are requested to ensure that their agents are aware of the above provisions, to avoid confusion during the counting of the ballots.



TIE VOTE

Section 141 of the *Local Government Election Act, 2015* states:

- (1) Where, on the addition of the votes, two or more candidates for any vacant office have an equal number of votes, the returning officer shall:
 - (a) write the names of those candidates separately on blank sheets of paper of equal size, colour and texture;
 - (b) fold the sheets in a uniform manner and so the names are concealed;
 - (c) deposit them in a receptacle; and
 - (d) direct a person to withdraw one of the sheets.
- (2) The candidate whose name is on the sheet withdrawn pursuant to Subsection 1 shall be declared elected.
- (3) Subsections 1 and 2 apply mutatis mutandis in the case where there is more than one office to be filled.



REQUEST FOR RECOUNT

After the returning officer has declared the official results, any elector or candidate in the municipality may request a recount where:

- the difference between the number of votes cast for any elected member and the candidate having the next highest number of votes is less than the number of ballots “counted but objected to” plus all “rejected ballots” except those on which no vote was made.

The person requesting the recount must deliver a notice to the returning officer within 10 business days of the declaration of the results of the vote. Notices for requesting a recount may be obtained from the returning office in city hall.

Within four business days of receipt of a request for a recount, the returning officer shall:

- issue a certificate stating that the applicant named in the certificate has requested a recount; and
- present the certificate to a judge and deliver a copy of it to the person who requested the recount; and
- request the judge to appoint a time and place for a recount of votes cast at the election which is the subject of the request.

Upon receipt of certificate from the returning officer, the judge shall appoint a date that is not later than 10 business days after the date of the request and a place for the recount of the votes. Within four days after making the appointment of the date for the recount, the returning officer shall serve a true copy of the appointment on the applicant and on any other persons that the judge may direct.

Where a person has applied for a recount as described above and the returning officer fails to submit the application to a judge, or where a person feels that there were irregularities at the polls or in the counting of the ballots, the person may apply by affidavit to a judge for a recount within 10 business days after the day on which the returning officer has declared the results of the election. The judge will:

- review the application; and
- decide if a recount should be held; and if so
- shall appoint a time and place to recount the votes cast at the election; and
- shall give written notice of the time and place at which they will recount the votes to the applicant and any other person that they may direct.

At the time and place appointed for the recount, the returning officer shall attend with the ballot boxes and all documents in their possession related to the election. Each candidate and their agent are entitled to be present at the recount.

The judge shall receive the ballot boxes from the returning officer and proceed with the recount of the ballots with respect to the election in question. On completion of the judge’s examination of the ballots, the judge shall:

- count the votes given on all the ballots which have not been rejected; and
- prepare a written statement of the results; and
- provide the returning officer with a certified copy of the results.

The returning officer shall immediately post in their office, the results of the election.

The cost of a recount shall be as determined by the judge and shall be in any manner and proportions that the judge may determine having due regard for any of the costs, charges, and expenses that, in the judge’s opinion, have been caused by unfounded allegations, objections or vexatious conduct on the part of the applicant or the respondent. Where the judge so orders, the cost shall be taxed on the tariff of costs of the court.

Advertising and Promotions

Activities

The following sections of the [Local Government Election Act, 2015](#) apply concerning promotional materials:

Section 176

During the hours that the poll is open, no candidate, no agent or any candidate nor any other person shall, in the polling place or within 100 m. of the building in which the poll is held:

- (a) canvass or solicit votes;
- (b) persuade or compel a person to vote or refrain from voting;
- (c) make any communication to a person intending to vote otherwise than through the deputy returning officer; or
- (d) display, distribute or post campaign signs, a specimen ballot for a person whose name is on the ballot for election, or any other material purporting to explain how to vote, or leave any of the preceding materials in a voting compartment.

Section 177

No person shall directly or indirectly induce a person to display their ballot in a manner that reveals how they have voted.

Section 182

Every visual, printed, audio, electronic, digital, radio or television broadcast advertisement, other than those provided for under this Act, having reference to an election or a vote on a bylaw or question shall include on the face of the advertisement, the name of the candidate on behalf of whom the advertisement is being distributed and the name of the person who has authorized its printing, display and distribution.



Political and Campaign Signs

The following regulations shall apply to the construction, maintenance, location, relocation, placing and removal of political and campaign signs on City of Weyburn owned or controlled property:

- 1) No signs shall be placed on property owned or controlled by the City of Weyburn except as permitted in these regulations.
- 2) The signs must comply with the illumination regulations of the Zoning Bylaw.
- 3) The signs shall not be erected prior to the date on which the election writ is issued; or in the case of the municipal elections, not before one month prior to the election date.
- 4) The signs shall be removed and the location placed in its original condition within three days of the date of the election.
- 5) The signs shall not exceed 32 square ft. in aggregate area.
- 6) Sign owners shall be responsible for damage caused to trees, shrubs and/or underground services on the site resulting from placing the sign.
- 7) The sign support shall be sufficient to adequately hold the sign in place for the duration.
- 8) All signs shall be located a minimum of 100 ft. from an intersection or railway crossing, and be placed within the right-of-way furthest from the traffic lane.
- 9) No sign shall be placed in such a way that it faces into a T-intersection.
- 10) Nothing in these regulations shall restrict the City of Weyburn's development officer from requiring the repair, alteration, or relocation of a sign they consider unsafe or in a hazardous location.
- 11) The signs shall be placed within the following corridors:
 - 5th Ave. NW**
 - North side – King St. to west side of Assiniboia Park School
 - North side – 13th St. to 16th St.
 - North side – 16th St. to 18th St.
 - 16th St.**
 - Both sides – Hwy 39 intersection north to drainage ditch
 - East side – East Ave. to Warren Ave.
 - West side – East Ave. to 1st Ave. NW
 - East side – Clark Ave. to 5th Ave. NW
 - West side – 1st Ave. NW to 5th Ave. NW
 - 1st Ave. NW**
 - North side – Tatagwa View entrance road to 100 ft. from river
 - Both sides – 50 ft. from river to Hunt St. (must be 50 ft. from any billboard)
 - 1st Ave. NE**
 - Both sides – 13th St. to 16th St.
 - Both sides – 18th St. to 20th St.
 - Highway No. 35**
 - West side – North side of 5th Ave. NE intersection to city limits
 - East side – Dyke north to city limits
 - East side – 10th Ave. SE to Livestock Exchange property (must be 50 ft. from any billboard)
 - Highway No. 39**
 - North side – Queen St. to former CN railway crossing
 - North side – 500 ft. east of the east side of the 4th St. bridge to city limits
 - South side – Queen St. to a point 400 ft. southeast of the former CN railway crossing

** in all cases sign must be 50 ft. from any billboard.*