



# **Municipality of Dysart et al**

## **2018 Election Procedures**

**Published: April 9, 2018 (Revision 2)**

**NOTE: Timelines and Dates are Subject to Change/Confirmation and the Procedures will be Amended Accordingly noting the date of revision.**



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## **DEFINITIONS**

1. **Act** – means the Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended.
2. **Ballot** – means a composite ballot when there is an election for more than one office.
3. **Ballot Box** – means an apparatus in which the yellow return envelopes and ballot secrecy envelopes are received and stored during the election process.
4. **Ballot Counting Centre** – means the designated location where the ballots are counted which is the Council Chamber of the Municipal Office located at 135 Maple Avenue, Haliburton.
5. **Candidate** – means a person who has been nominated under Section 33 of the Act.
6. **Certified Candidate** – means a candidate whose nomination has been certified by the Clerk under Section 35 of the Act.
7. **Clerk** – means the Clerk of the municipality who is responsible for conducting this election under the authority of the Act. All reference to the Clerk for the purposes of these procedures shall mean the Returning Officer (R.O.) for the 2018 Municipal Election. All references to the Clerk's designate shall mean the delegated duties of the R.O.
8. **Drop-off Centre** – means a designated location where electors can drop off completed return envelopes directly into the care of the Clerk or authorized designate rather than forwarding it by mail which is the Municipal Office.
9. **Election Official** – means the Clerk or other person(s) appointed in writing by the Clerk to carry out election duties under the Act. An Election Official can only carry out the tasks and duties as assigned in writing by the Clerk, and must take the prescribed oath (s.15).
10. **Friend** – means a person who has been requested by an elector to assist him or her in the voting process.
11. **Municipal Office** – means the Dysart et al administration building located at 135 Maple Avenue, Haliburton.
12. **Regular Office Hours** – means Monday to Friday, 8:30 a.m. to 4:30 p.m.
13. **Preliminary List of Electors** – means a list of electors for the municipality compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the municipality by September of the election year.



14. **Proof of Identification** – means proof of identity and residence as prescribed in O.Reg. 304/13 of the Act.
15. **Scrutineer** – means an individual, appointed in writing by a certified candidate, to represent him or her during the voting process.
16. **Voting Day** (not to be confused with Voting Period) – means the final day on which the vote is taken in an election and shall be Monday, October 22, 2018 with close of voting to be at 8:00 p.m..
17. **Voters List** – means the Preliminary List of Electors, as corrected by the Clerk, under the provisions of Section of the Act.
18. **Voters Kit** – means the set of documents mailed to each elector at the elector's mailing address on the Voters List to enable him or her to cast his or her vote and includes:
  - Voting Instruction Sheet / Voter Declaration Form
  - Composite Ballot
  - White Ballot Secrecy Envelope
  - Yellow Outer Return Envelope with prepaid postage
19. **Voting Place** – means the only location, both convenient and accessible to the electors, for the purpose of casting a ballot. For purposes of providing assistance to electors, the Municipal Office, has been dedicated as a voting place.
20. **Vote Tabulator** – means a machine that digitally scans the ballots to read the votes and tabulate the results.





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## WARDS

- Ward 1** Haliburton – Lots 12 to 20 inclusive, Concessions 7 to 9 inclusive, in the Township of Dysart
- Ward 2** Haliburton – All of the Township of Dysart except Ward 1 and all of the Township of Dudley, except Lot 35, Concessions 6 & 7, in the Township of Dudley
- Ward 3** Harcourt – All of the Townships of Harcourt, Bruton and Clyde and Lot 35, Concessions 6 & 7, in the Township of Dudley
- Ward 4** West Guilford – Lots 1 to 18 inclusive, Concessions 1 to 6 inclusive, Township of Guilford and Lots 1 to 25 inclusive, Concessions 7 to 13 inclusive, Township of Guilford and all of the Township of Havelock
- Ward 5** Eagle Lake – All of the Township of Guilford except Ward 4 and all of the Townships of Harburn and Eyre



## **INTRODUCTION**

Municipal Elections are conducted in accordance with the *Municipal Elections Act, S.O. 1996*, as amended, hereinafter referred to as the MEA. The Municipality of Dysart et al will be using an alternative voting method under s.42 of the MEA, being Vote by Mail.

### **Election Procedures and Forms**

The procedures and forms contained in this document have been developed as required by MEA, and will be revised/amended as deemed necessary by the Clerk up to and including Voting Day.

Amendments to the procedures will be e-mailed to each Candidate to the address shown on filed Nomination Forms and posted on the Municipality of Dysart et al website ([www.dysartetel.ca](http://www.dysartetel.ca)).

Due to timing constraints (i.e. seeking additional nominations), some advertising may only be done on the Municipality of Dysart et al website.

### **Joint Advertisements**

The Municipality of Dysart et al will develop ads in cooperation with other municipalities in Haliburton County for shared advertising opportunities. Joint ads may be used in replacement of any ads referenced in these procedures.

With respect to matters of policy and procedures for alternative voting methods and all other municipal election matters, the decision of the Clerk is final.

The contents of this document are intended only as a guide to certain provisions of relevant legislation and do not purport to recite all applicable statutory references. Candidates must satisfy themselves through their own determination that they have complied with the MEA.

Questions with respect to these procedures may be directed to:

Cheryl Coulson  
Clerk  
Municipality of Dysart et al  
135 Maple Avenue  
Haliburton, ON K0M 1S0

Telephone: (705) 457-1740 x 631  
e-mail: [ccoulson@dysartetel.ca](mailto:ccoulson@dysartetel.ca)  
website: [www.dysartetel.ca](http://www.dysartetel.ca)



**IMPORTANT DATES**

The following list, though not exhaustive, provides some of the key dates for the 2018 Municipal Election.

<b>DATE(S)</b>	<b>ACTION ITEM</b>
December 29, 2017	<b>PROCEDURES</b> Clerk to establish procedures and forms for use of vote-counting equipment or alternative voting method, s.42(3) & (4).
January 2018 – May 2018	<b>PUBLISH NOTICE OF NOMINATION PERIOD (s.32)</b>
Early March 2018	<b>LAUNCH OF VOTERLOOKUP.CA BY MPAC</b> Conducted by the Municipal Property Assessment Corporation via web application (voterlookup.ca) or telephone 1-866-296-6722.
Mid-April to Mid-May, 2018	<b>MUNICIPAL ENUMERATION NOTICES TO BE MAILED BY MPAC</b> Complementary messaging reminding electors the accuracy of the voters list and therefore their ease in obtaining a ballot may be affected by accuracy of enumeration process.
April 30, 2018	<b>USE OF MUNICIPAL RESOURCES POLICY</b> Last day for municipalities and Local Boards to establish rules and procedures regarding use of municipal resources.
May 1, 2018 to July 27, 2018	<b>NOMINATION PERIOD</b> Nomination Papers for candidates for the 2018 Municipal Election may be filed during regular business hours (Monday to Friday, 8:30 a.m. to 4:30 p.m., weekends and statutory holidays excluded) from May 1, 2018 to July 26, 2018 and on July 27, 2018 from 8:30 a.m. to 2:00 p.m.
May 1, 2018	<b>REGISTRATIONS FOR THIRD PARTY ADVERTISERS COMMENCES</b>
May 1, 2018 to December 31, 2018	<b>CAMPAIGN PERIOD</b> Begins May 1, 2018 or whenever a candidate files a nomination paper (whichever is later).
July/August 2018	<b>PRELIMINARY LIST OF ELECTORS (PLE)</b> MPAC to provide Dysart et al with PLE. Clerk then corrects for errors and prepares Voters List.
Early July 2018	<b>PUBLISH NOTICE OF NOMINATION PERIOD (s.32) (Optional Second Ad)</b>



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DATE(S)	ACTION ITEM
July 27, 2018	<b>NOMINATION DAY</b> Nomination Papers for candidates for the 2018 Municipal Election may be filed no later than 2:00 p.m.
July 27, 2018	<b>WITHDRAWAL OF CANDIDATE</b> Candidates wishing to withdraw nomination must do so no later than 2:00 p.m.
July 30, 2018	<b>CERTIFICATION OF NOMINATION PAPERS</b> Clerk to Certify or Reject nominations no later than 4:00 p.m.
July 30, 2018	<b>DECLARE ELECTION / ACCLAMATIONS</b> Clerk to post list of Candidates and Acclamations.
July 31, 2018	<b>DEFAULT DATE FOR MPAC TO DELIVER PRELIMINARY LIST OF ELECTORS (PLE)</b>
August/September 2018	<b>ADS – IS YOUR NAME ON THE VOTERS LIST?</b>
August 1, 2018	<b>ADDITIONAL NOMINATIONS (IF NECESSARY)</b> If necessary, additional nominations will be received between 9:00 a.m. and 2:00 p.m. at the Municipal Office.
August 2, 2018	<b>ADDITIONAL NOMINATIONS - CERTIFICATION OF NOMINATION PAPERS BEFORE 4:00 P.M., s.35(1)2 – ACCLAMATION(S) AFTER 4:00 P.M.</b>
<b>TBD</b> – August 7-10, 2018	<b>BALLOT PROOF</b> Clerk to sign off on ballot proof.
<b>TBD</b> – September 14-20, 2018	<b>SIGN OFF ON VOTERS KIT</b>
August 31, 2018	<b>COMPLETE CORRECTIONS TO PLE AND REPRODUCE IT AS THE VOTERS LIST, s.23(2)</b>
September 4, 2018	<b>VOTERS LIST</b> Last day for Clerk to reproduce Voters List. Deliver or mail copy of Voters List to those identified in MEA, s.23.
September 4, 2018 to October 22, 2018	<b>AMEND VOTERS LIST – REVISION PERIOD</b> Applications (including acceptable identification) may be made to the Clerk to make additions, corrections or deletions of own information to the Voters List.
<b>TBD</b> – September 2018	<b>EXCEPTIONS LIST</b> MPAC to provide Dysart et al with exceptions file.



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DATE(S)	ACTION ITEM
<b>TBD</b> - September 13-19, 2018	<b>LAST DATE FOR CHANGES TO VOTERS LIST FOR VOTE BY MAIL PACKAGE</b> For every Elector who qualified to be on the Voters List by 12:00 p.m., a Vote By Mail Package will be mailed to the Elector's address as shown on the Voters List.
September 25, 2018	<b>ISSUE CERTIFICATE OF MAXIMUM CAMPAIGN SPENDING LIMITS</b> Clerk to provide Candidates with Certificate of Maximum Campaign Spending Limits.
<b>TBD</b> – September 24-28, 2018	<b>VOTER KITS ARE PRINTED AND MAILED TO ELECTORS</b>
September 28, 2018	<b>DEADLINE TO ESTABLISH COMPLIANCE AUDIT COMMITTEE</b> Council must establish a Compliance Audit Committee to process compliance audit applications prior to October 1 in an election year. Term of appointment for committee is the same as the term of office for Council.
<b>TBD</b> – October 22, 2018	<b>REPLACEMENT VOTER KITS</b> Replacement Voter Kits are available for individuals who did not receive their original Voters Kit.
<b>TBD</b> - October 22, 2018	<b>DROP-OFF / REVISION CENTRE (Municipal Office)</b> The Drop-off / Revision Centre will be open during regular office hours (8:30 a.m. to 4:30 p.m. Monday to Friday, from October ??, 2018 to Friday, October 19, 2018 and on Monday, October 22, 2018 from 8:30 a.m. to 8:00 p.m.
October 11, 2018	<b>LAST DATE FOR ELECTORS TO RETURN VOTER KITS BY MAIL</b>
October 19, 2018	<b>LAST DAY FOR THIRD PARTY ADVERTISERS TO REGISTER</b>
October 19, 2018	<b>LAST DAY TO PREPARE A PLAN FOR THE IDENTIFICATION, REMOVAL AND PREVENTION OF BARRIERS</b> (Note, last legislated day, but it must be completed before December 31, 2017) (s.12.1 (2))
October 22, 2018	<b>ELECTION DAY</b> Final day that qualified Electors may cast their vote up to 8:00 p.m. Unofficial election results will be released after 8:00 p.m.



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DATE(S)	ACTION ITEM
October 23, 2018	<p><b>ELECTION RESULTS</b> The Clerk will declare the official election results as soon as possible after Election Day.</p>
October 23, 2018	<p><b>RECOUNT</b> In the event of a tied vote a recount must be held within 15 days of the declaration of the results by the Clerk. A recount on request from Council / Board / Minister received within 30 days of the declaration of results must be held within 15 days of the receipt of the request.</p>
December 1, 2018 (to November 14, 2022)	<p><b>TERM OF OFFICE COMMENCES / INAUGURAL COUNCIL MEETING</b> Inaugural Council Meeting (Municipality of Dysart et al) for 2018-2022 Term of Council. To be held at the Dysart et al Council Chamber at 11:00 a.m. on <b>Monday, December 3, 2018.</b></p>
November 22, 2018	<p><b>PROVIDE MPAC WITH THE FINAL LIST OF CHANGES TO THE VOTERS LIST (s. 27 (2))</b></p>
December 31, 2018	<p><b>CAMPAIGN PERIOD ENDS</b> Deadline for Candidates to provide Clerk with written notification of deficit and continuation of campaign period. <b>This also applies to Third Party Advertisers.</b></p>
January 2019	<p><b>NOTICE TO CANDIDATES OF FILING REQUIREMENTS</b> The Clerk shall provide notice of all of the filing requirements and of the penalties under subsections 88.23(2) and 92(1), to every candidate at least 30 days before the filing date. Last day for Notice of the filing requirements for the financial statements covering the reporting period ending December 31, 2018 is February 27, 2018.</p>
January 21, 2019	<p><b>FINAL DAY FOR THE CLERK TO <u>POST</u> A REPORT ON THE IDENTIFICATION, REMOVAL AND PREVENTION OF BARRIERS THAT AFFECT ELECTORS AND CANDIDATES WITH DISABILITIES (s.12.1(3))</b></p>
January 21, 2019	<p><b>FINAL DAY FOR AN ELECTOR TO COMMENCE AN APPLICATION FOR CONTROVERTED ELECTION (s.83)</b> A <b>copy</b> of the application must be provided to the Clerk within 5 days.</p>
January 25, 2019	<p><b>LAST DAY FOR APPLICANT TO SERVE A COPY OF "APPLICATION FOR CONTROVERTED ELECTION" TO THE CLERK.</b></p>



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DATE(S)	ACTION ITEM
February 21, 2019	<b>EARLIEST DATE FOR THE DISPOSITION OF ELECTION RECORDS (if results declared October 23 are unchallenged) s.88 (1). Ballots shall be destroyed.</b>
February 27, 2019	<b>LAST DAY FOR NOTICE OF THE FILING REQUIREMENTS FOR THE FINANCIAL STATEMENTS COVERING THE REPORTING PERIOD ENDING DECEMBER 31, 2018, s.88.25(9), 34, 88.23(2), and 92.1.</b>
March 29, 2019	<b>DEADLINE FOR FILING FINANCIAL STATEMENTS</b> Financial Statements must be filed no later than 2:00 p.m. Documents will be available for public viewing on the Municipality of Dysart et al website as soon as possible after the documents are filed.
April 29, 2019	<b>LAST DAY FOR CANDIDATE WHO VIOLATED THE DEADLINE FOR FILING THEIR FINANCIAL STATEMENTS, TO FILE ALONG WITH A \$500 FEE TO AVOID PENALTIES.</b>
April 29, 2019	<b>LAST DAY FOR CLERK TO REVIEW FINANCIAL STATEMENTS AND REPORT ON ANY THAT EXCEEDED THE LIMITS, s.88.34</b>
April 30, 2019	<b>FIRST DAY THE CLERK SHALL PUBLISH REPORT OF WHICH CANDIDATES COMPLIED WITH s.88.25</b>
July 2, 2019	<b>LAST POSSIBLE DATE OF SUPPLEMENTARY REPORTING PERIOD, s.88.24(41). NOTE: COULD BE EARLIER IF DEFICIT IS ELIMINATED.</b>
July 2, 2019	<b>LAST DAY FOR COMPLIANCE AUDIT REQUEST FOR DECEMBER 31, 2018 SUPPLEMENTARY REPORTING PERIOD.</b> The Clerk must forward the application to the Compliance Audit Committee within 10 days of receiving the application. Within 30 days, the committee must consider the application and decide whether it should be granted or rejected.





### **PRINCIPLES GUIDING MUNICIPAL ELECTIONS**

The following principles were considered during the development of the Municipal Elections Act (MEA):

1. The secrecy and confidentiality of the individual vote is paramount.
2. The election should be fair and non-biased.
3. The election should be accessible to the voters.
4. The integrity of the process should be maintained throughout the election.
5. There be certainty that the results of the election reflect the votes cast.
6. Voters and candidates should be treated fairly and consistently within a municipality.

### **VOTING DAY**

Voting Day for the 2018 Municipal Election is Monday October 22, 2018.

Unofficial results will be posted on the Municipality's website at [www.dysartetal.ca](http://www.dysartetal.ca) (as soon as possible after 8:00 p.m.).

### **VOTE BY MAIL**

The Municipality of Dysart et al will be using Vote by Mail as its voting method for the election.

Electors are encouraged to ensure they are on the voters list by contacting the Municipal Office or using the internet voter look-up module at [www.dysartetal.ca](http://www.dysartetal.ca). In a vote by mail system, the onus is on the eligible electors to ensure that their names and correct information are on the voters list.

The Municipal Office will be established as the Drop-off Centre, providing electors with the option of voting with the assistance of Election Officials, if assistance is deemed to be required by the elector.

### **QUALIFICATION OF ELECTORS**

On Voting Day a person is qualified to be an Elector if he or she:

- Is a Canadian citizen
- Is at least 18 years old
- Resides in Dysart et al or is the owner or tenant of land in Dysart et al, or the spouse of such person





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- Is not prohibited from voting because he or she:
  - Is serving a sentence of imprisonment
  - Is a corporation
  - Is acting as an executor or trustee or in any other representative capacity
  - Was convicted of a corrupt practice described in Section 90(3) of the MEA

It is the responsibility of the Elector to ensure they are qualified.

### **Students**

Students who reside away from home may vote in both places (in the municipality where they attend school and where their family resides) as long as the family residence is their permanent residence.

### **Trailer Owners in Campgrounds**

Trailer owners in campgrounds are considered tenants and may therefore vote if they are entitled to use the land on Voting Day, or for at least six weeks in the year of the election.

### **Homeless Persons**

Persons without a permanent residence may qualify to be added to the voters list during the revision period provided that they can identify a place within Dysart et al where they frequently returned to eat and sleep during the five weeks preceding.

### **ELECTION OFFICIALS**

The Clerk is responsible to run the Municipal Election through the establishment of rules and procedures, and may appoint, in writing, Election Officials to assist in the administration of the election process with duties such as:

- Revising the Voters List;
- Receiving Nomination Papers;
- Administering Oaths;
- Assisting electors with voting at the Municipal Office; as required;
- Assisting in the conduct, supervision and management of the Vote By Mail procedures; and,
- Assisting the Clerk and other Election Officials as required.



**Form - Appointment and Oath of an Election Official**

**VOTERS LIST**

By the date agreed upon by the Clerk and the Municipal Property Assessment Corporation (MPAC) which must be earlier than September 1, 2018 (or on July 31, 2018 if no date is agreed upon), MPAC will provide the municipality with the Preliminary List of Electors (PLE). The Clerk then corrects and amends the PLE using information held by the municipality and produces the Voters List by September 1, 2018.

Electors may make application to amend the Voters List up to and including Voting Day (October 22, 2018). Applications must be completed in full and bear the original signature of the applicant.

Applications must be accompanied by a legible copy of suitable identification as stipulated in the Voter Identification form. For individuals who cannot provide the required identification a Declaration of Identity (Form 9) may be completed.

**Form – Application to Amend Voters List (EL15)**

**Form – Voter Identification**

**Form – Declaration of Identity (Form 9)**

Notice of the revision period shall be advertised a minimum of one time in the Haliburton Echo, the Highlander and on the Municipality of Dysart et al website during this period.

**Form – Notice of Revision Period**

**Municipal VoterView (DataFix)**

The Municipality of Dysart et al is utilizing the Municipal VoterView software application provided by DataFix to manage and update the Voters List on an ongoing basis. Only those Election Officials delegated authority to access the PLE and Voters List will be provided access to the application.

On September 4, 2018, candidates will be provided access to the online Candidate Access Portal where Voters List information will be available to search, view or download. Access will not be granted until the Candidate's Declaration for Proper Use of the Voters List is executed and filed with the Clerk. The Voters List may only be used for election purposes.

The candidates will be able to see which electors have participated in the election. Candidates will not be able to see how an elector has voted.

No printed or digital copies of the Voters List will be provided.



## **ALTERNATIVE VOTING**

By-law No. 2017-46 authorizes the use of Vote By Mail for the 2018 Municipal Election in the Municipality of Dysart et al.

**Form – By-law to Authorize Use of Vote By Mail for the 2018 Municipal Election**

## **NOTICE OF ELECTION**

The Clerk shall give notice of the election (if one is required) as soon after Nomination Day as possible which will include a list of those candidates with certified nominations for each office. The notice shall be advertised a minimum of one time in the Haliburton Echo, the Highlander and on the Municipality of Dysart et al website.

The Clerk shall also provide notice that describes the method and timelines for the Vote By Mail process. The notice shall be advertised a minimum of one time in the Haliburton Echo, the Highlander and on the Municipality of Dysart et al website.

**Form - Notice of Election and Notice of Vote By Mail**

## **ACCESSIBILITY**

The Municipality of Dysart et al is committed to ensuring that all qualified Electors have the opportunity to vote. The use of Vote By Mail provides for improved access to the electoral process as it eliminates the need for Electors to attend a polling station and provides for an extended period of time for Electors to return their ballot via Canada Post.

### **Accessibility Plan (Pre-Election)**

The Clerk is required to prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and make the plan available to the public before Voting Day.

### **Accessibility Report (Post-Election)**

The Clerk is also required to provide a follow-up report to the public within 90 days after the election.



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## CANDIDATES

<b>Offices to be Elected – Municipal Council</b>		
<b>Mayor</b>	One (1) to be elected at large by all voters in the municipality.	
<b>Deputy Mayor</b>	One (1) to be elected at large by all voters in the municipality.	
<b>Councillor Ward 1</b>	One (1) to be elected by all voters in Ward 1.	
<b>Councillor Ward 2</b>	Two (1) to be elected by all voters in Ward 2.	
<b>Councillor Ward 3</b>	One (1) to be elected by all voters in Ward 3.	
<b>Councillor Ward 4</b>	One (1) to be elected by all voters in Ward 4.	
<b>Councillor Ward 5</b>	One (1) to be elected by all voters in Ward 5.	
<b>Offices to be Elected – School Board Trustees</b>		
<b>English Public (EP) - Trillium Lakelands District School Board</b>	One (1) to be elected to represent the <u>County of Haliburton</u>	
Municipality of Dysart et al Township of Algonquin Highlands	Township of Minden Hills Municipality of Highlands East	
Nominations are to be filed with the Clerk, Township of Minden Hills.		
<b>French Public (FP) – Nominations for Conseiller(ere), Le Conseil scolaire Viamonde (One (1) trustee to be elected to represent Sector 1:</b>		
Counties of Haliburton, Northumberland and Peterborough	Peterborough Kawartha Lakes Quinte West	Durham
Nominations are to be filed with the Clerk, City of Oshawa		

Notice of Nominations will be posted a minimum of one time prior to Nomination Day in the Haliburton Echo, the Highlander, and on the Municipality of Dysart et al website on the Election page.

**Form – Notice of Nomination for Office – Municipal Council and School Board Trustees**



### Qualification of Candidates

To run for an office on Council or a School Board, a candidate must be qualified on the day he or she files the nomination paper.

To run for Council (Mayor or Ward Councillor) the person must be:

- A Canadian citizen
- At least 18 years of age
- A resident of the Municipality of Dysart et al or own or lease property (or be the spouse of the owner or lessee) in the Municipality of Dysart et al
- Not legally prohibited from voting
- Not disqualified by any legislation from holding municipal office
- Obtain at least 25 signatures from individuals eligible to vote in Dysart et al on the day they signed the endorsement (**Note: it is not the responsibility of the Clerk to verify the signatures provided by the Candidate**).

To run for School Board Trustee the person must be:

- A Canadian citizen
- At least 18 years of age
- A resident in the area of jurisdiction of the board
- Eligible to be an Elector for the school board in which the person is a candidate
- Not legally prohibited from voting
- Not disqualified by any legislation from holding office

To be a candidate in an ENGLISH-LANGUAGE PUBLIC DISTRICT SCHOOL BOARD, a candidate must:

- be a supporter of the English-language public district school board; or
- not be a supporter of any board, nor have qualified himself or herself as an Elector for a separate or French-language school board in the election



To be a candidate in a FRENCH-LANGUAGE PUBLIC DISTRICT SCHOOL BOARD, the candidate must be a French-language rights holder (see ss. 23(1) and (2) of the Canadian Charter of Rights and Freedoms for criteria) who must:

- qualify as an Elector for the French-language public district school board; or
- be a supporter (or the spouse of a supporter) of the French-language public district school board.

An elected member of council or a school board trustee must maintain their qualifications throughout the entire term of office or their seat will become vacant.

### **Nominations**

A person can only become a candidate during the Nomination Period.

The Nomination Period starts on **Tuesday, May 1, 2018** and ends on **Friday, July 27, 2018 at 2:00 p.m.** Nomination papers will not be accepted after the deadline for filing.

A nomination must be signed by the candidate and may be filed in person (accompanied by 25 signatures on Form 2 – Endorsement of Nomination form from eligible electors in Dysart et al) or by an agent during regular business hours (8:30 a.m. to 4:30 p.m. - weekends and Statutory Holidays excluded) beginning on Tuesday, May 1, 2018 through to **2:00 p.m.** on Friday July 27, 2018 (Nomination Day).

Nominations may be made by completing and filing in the office of the Clerk, nominations on the prescribed form and accompanied by the Acknowledgement of Qualification, acceptable identification, the prescribed nomination filing fee of \$200 for the Head of Council and \$100 for all other offices, and such other documentation as required for the filing process. The filing fee is payable by cash, debit, certified cheque, bank draft or money order.

**Form – Nomination Paper (Form 1)**

**Form – Endorsement of Nomination (Form 2)**

Candidates must provide a copy of acceptable identification which must be valid and contain the candidate's name, qualifying address and signature.

If, after having filed a nomination form, a candidate wishes to file a nomination for a different office in the same election, the first nomination shall be deemed to have been withdrawn at the time the second nomination is filed. The filing fee is deemed to have been paid with the latest filing if the two nominations are for the same council/board.

A candidate may withdraw his or her nomination by completing a Withdrawal of Nomination form and filing it in the Clerk's Office before 2:00 p.m., July 27, 2018. A



candidate must present identification with the proper form to the election staff. Withdrawal of Nomination papers will not be accepted after the deadline.

### Form – Withdrawal of Nomination

A candidate is entitled to receive a refund of the nomination fee if he or she files their Financial Statement by 2:00 p.m. on March 29, 2019. If a candidate withdraws their nomination, they must submit a financial statement showing all contributions and expenses, including the nomination fee, from the day they filed the nomination paper until the day they withdrew from the office.

### Notice of Nominations Filed

A list of Nomination Papers filed (**non-certified**) will be amended and posted on the Municipality of Dysart website as soon as possible after filing. The list shall be prepared in order by office and descending in the order in which nominations are received. The list will contain personal information, as provided by the candidate, to be posted at the Municipal Office and online, providing electors with the opportunity to contact candidates.

### Form – Nomination Papers Filed (non-certified)

### Form – Freedom of Information Release

### Certify or Reject Nominations

Under the MEA, the Clerk is required to reject or certify nominations of candidates. On or prior to 4:00 p.m. on July 30, 2018, the Clerk will examine each nomination filed and, if satisfied the person is qualified to be nominated and that the nomination complies with the MEA, the Clerk will certify the nomination paper.

The Clerk may consider the following criteria in their decision to reject or certify individual nominations:

- The candidate has refused or declined to provide proof of qualification or identification suitable to the Clerk.
- The candidate does not satisfy the requirements of the MEA, as amended (the candidate is not qualified to hold office, or is otherwise prohibited by law from being nominated).
- The nomination form is not complete in its entirety or the prescribed filing fee has not been paid.
- The candidate's name does not appear on the Voters List.





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- The necessary financial statement was not filed for any office in the previous regular election or any new election in which the individual may have been a candidate.

There may be other circumstances in which the candidate is disqualified from being nominated or elected other than those identified above. It is the responsibility of each candidate to ensure that they are not disqualified from being nominated for the office.

It is the responsibility of the candidate to ensure they meet all of the qualifications and file proper nomination papers, prior to 2:00 p.m. on July 27, 2018. Since the Clerk may examine the nomination papers after the nomination period ends and may reject them, a candidate may find that their papers have been rejected and they are too late to file additional information or provide proof to the Clerk of their qualifications.

If not satisfied, the Clerk will reject the nomination and, as soon as possible, give notice to the person who sought to be nominated and to all other candidates for that office. The Clerk's decision to certify or reject a nomination is final.

Once the nomination is certified, the candidate's name will be placed on the ballot unless the name is removed by a Court order.

#### Form – List of Certified Candidates

#### Acclamations

Candidates will be declared as acclaimed on July 30, 2018 after 4:00 p.m. (s. 37 (1)), if the number of certified candidates for an office is the same or less than the number to be elected.

#### Form – Declaration of Acclamation to Office

#### Maximum Campaign Expenses

Upon filing of Nomination Papers, candidates will be provided with an estimate of their campaign spending limit using the number determined from the voters list from the 2014 election, as it existed on September 12, adjusted for changes made under sections 24 and 25 of the MEA (see below for calculation).

On or before September 25, 2018, the Clerk shall provide each candidate, via email, with a certificate of maximum campaign expenses that can be incurred.

Calculations are as follows and are based on the Voters list as it exists on Nomination Day and subject to any adjustments as of that day:

Mayor	\$7,500 plus 85 cents for each Elector entitled to vote for the office
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Deputy Mayor           \$5,000 plus 85 cents for each Elector entitled to vote  
for the office

Ward Councillor       \$5,000 plus 85 cents for each Elector entitled to vote  
for the office

#### **Maximum Contributions to a Candidates Own Election**

A candidate for an office on a council and his or her spouse shall not make contributions to the candidate's own election campaign that, combined, exceed an amount equal to the lesser of

- a) the amount calculated by adding:
  - (i) in the case of a candidate for the office of head of council of a municipality, \$7,500 plus 20 cents for each elector entitled to vote for the office, or
  - (ii) in the case of a candidate for an office on a council of a municipality other than the office of head of council, \$5,000 plus 20 cents for each elector entitled to vote for the office; and
- b) \$25,000.

In accordance with MEA, the Clerk shall give the candidate a preliminary calculation of the permitted amount of the contributions to a candidate's own campaign as of the filing date, using the number of electors from the voters list as it existed on Nomination Day of the previous election, adjusted for application under s. 24 and s. 25 that were approved as of that day.

On or before September 25, 2018, the Clerk shall provide each candidate, via email, a final calculation of the permitted amount of contributions to a candidate's own campaign. The number of electors to be used in this final calculation is to be the greater number of electors for the office from the voters list as it existed on Nomination of the previous election, adjusted for changes on that day or the number of electors on September 15 in the year of the current election, adjust for changes made on that day.

#### **Maximum Expenses for Parties**

On or before<sup>81</sup> September 25, 2018, the Clerk shall provide each candidate, via email, with a certificate of maximum campaign expenses for parties, that can be incurred, being 10%, of the final maximum campaign expenses.



Candidates are required to inform contributors of contribution limits. Individuals who over-contribute are subject to fines.

Candidates are no longer required to open a bank account if they do not receive contributions or incur expenditures related to their campaign.

**Form – Certificate of Estimated Campaign Spending Limits - Candidate**

**Form – Certificate of Maximum Campaign Spending Limits - Candidate**

### **Accessibility for Persons with Disabilities**

The Province of Ontario has provided information about how candidates can make their meetings, literature, campaign offices, etc. more accessible for persons with disabilities. Candidates should familiarize themselves with the following Ontario Government guides:

- Removing Barriers to Political Participation
- Accessible Campaign Information and Communication
- Accessible All Candidates Meetings
- Accessible Campaign Offices

### **Change of Address**

Some election documents may be sent to candidates by first class mail. If a candidate moves any time before all required forms are filed, they must notify the Clerk's Office.

### **Prohibition of Canvassing / Advertising at Voting Locations**

No campaign material, literature or advertising of any nature whatsoever of any candidate in the Election shall be displayed at, or within the Municipal Administration Office (see also "Use of Municipal Resources").

The following is designated as a voting location (voting place) on **voting day (October 22, 2018) from 8:30 a.m. to 8:00 p.m.**:

- Municipality of Dysart et al Municipal Office, 135 Maple Avenue, Haliburton, ON

The MEA provides that while an Elector is in a voting location, no one shall attempt, directly or indirectly, to influence how the Elector votes and that no one shall display a candidate's campaign material or literature in a voting location.

Electioneering of any nature is not permitted in or on the premises used as a voting location or as a drop-off location (Drop-off Centre). The premises are deemed to include the entire building and the property on which it is located. Campaign material or literature



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of any nature found in these locations will be immediately removed and disposed of without notice. For more information, see "Use of Municipal Resources".

#### **Right of Entry for Canvasser**

Access to rented premises - excerpt from the *Residential Tenancies Act, 2006*, section 28:

"No landlord shall restrict reasonable access to a residential complex by candidates for election to any office at the federal, provincial or municipal level, or their authorized representatives, if they are seeking access for the purpose of canvassing or distributing election material."

If candidates are experiencing difficulty in gaining access to these premises, they should contact the landlord of the building.

Access to condominiums - excerpt from the *Condominium Act, 1998*, section 118:

"No corporation or employee or agent of a corporation shall restrict reasonable access to the property by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly or an office in a municipal government or school board if access is necessary for the purpose of canvassing or distributing election material."

If candidates are experiencing difficulty in gaining access to these premises, they should contact the board of directors of the condominium.

Access to co-operative housing units - Excerpt from the *Co-operative Corporations Act, 1990*, section 171.24:

"No non-profit housing co-operative or servant or agent of such a cooperative shall restrict reasonable access to the housing units of the cooperative by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly, any office in a municipal government or a school board for the purpose of canvassing or distributing election material."

If candidates are experiencing difficulty in gaining access to these premises, they should contact the housing co-operative representative.

The Clerk is not responsible for securing access to any buildings for the purpose of canvassing or distributing election material.

#### **Corporate Logo, Crest and Images**

Candidates are prohibited from using the Municipality of Dysart et al logos/corporate images, crest, photos, graphics or any other item of municipal intellectual property for any



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campaign-related purposes or materials including, but not limited to, signs, printed and electronic publications, flyers, brochures, e-mail, website, business cards, postcards, letterheads, leaflets, posters, fridge magnets and promotional items.

Any disregard of this prohibition will be acted upon by The Corporation of the Municipality of Dysart et al and could result in legal action.

### **Use of Municipal Resources**

The use of municipal resources for election campaign purposes is strictly prohibited. All election candidates, including members of Council, are required to follow the provisions of the MEA and ensure there is no use of the facilities, equipment, supplies, services, staff or other resources of the Municipality for any election campaign or campaign related activities. No candidate shall undertake campaign-related activities on Municipal property leased or otherwise (e.g. parks, Library, Community Centres, Municipal Office, Fire Hall). No candidate shall use the services of persons during hours in which those persons receive any compensation from the Municipality.

For more information, please refer to the Municipality's Use of Municipal Resources Policy.

### **Candidates' Election Campaign Advertisements (s. 88.3)**

All candidate election campaign advertisements must be in compliance with s. 88.3.

The MEA does not contain restrictions on when a candidate may or may not advertise, however, a candidate must have filed their nomination paper before spending any money and the amount they may spend on their campaign is regulated.

"Election campaign advertisement" means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a candidate.

### **Mandatory Information in Advertisements**

An election campaign advertisement purchased by or under the direction of a candidate shall identify the candidate.

### **Mandatory Information in Broadcaster, etc.**

A candidate shall not cause an election campaign advertisement to appear unless he or she provides the following information to the broadcaster or publisher in writing:

1. The name of the candidate.
2. The name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the candidate.



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The CRTC has guidelines that broadcasters must follow to ensure all candidates have equal access to coverage. Free political advertising by a broadcaster must be within the regulations and guidelines of the Broadcasting Act (Canada) and made available to all candidates. This advertising is not deemed to be a contribution.

### Form – Broadcaster/Publisher Information Sheet - Candidate

#### **Campaign Staff**

Candidates may recruit staff to work on their campaign and assign them duties. While a candidate may designate staff to perform certain duties, the ultimate responsibility for compliance with the MEA and any municipal by-laws rests with the candidate.

The Criminal Code Of Canada provides that: everyone commits perjury who, with intent to mislead, makes before a person who is authorized by law to permit it to be made before him a false statement under oath or solemn affirmation by affidavit, solemn declaration or deposition or orally, knowing that the statement is false, is guilty of an indictable offence and liable to a term of imprisonment not exceeding fourteen years (Section 131, 132), or by summary conviction (Section 134).

#### **Scrutineers**

Scrutineers are a means by which a Candidate may observe the election to ensure that it is conducted in accordance with the principles of fairness and integrity in the election process and the provisions of the MEA. The right to appoint scrutineers is an option made available to candidates to assist them to observe the election process and to note any irregularities. An election must be conducted with fairness and integrity whether or not scrutineers are present.

Each Candidate may appoint, in writing on the prescribed form, persons to act as Scrutineers to represent them in the voting location.

Not more than one scrutineer representing each Candidate may be present at the voting location.

All Scrutineers must take and subscribe to an Oath of Secrecy.

Any candidate who has been acclaimed is prohibited from being in the voting location unless another candidate has appointed them as a scrutineer.

### Form – Appointment of Scrutineer by Candidate

### Form – Oral Oath of Secrecy

Any candidate, scrutineer, agent or voter who by their actions creates a disturbance or interferes in any way with the proper conduct at the voting location may be expelled from



the voting location for such actions. An agent, candidate or scrutineer who is dissatisfied with the actions of election personnel is invited to contact the Clerk to discuss the matter.

While in the voting place or Drop-off Centre, Scrutineers and Candidates are prohibited from:

- attempting, directly or indirectly, to interfere with how an Elector votes;
- attempting to campaign or persuade an Elector to vote for a particular candidate;
- displaying a candidate's election campaign material in a voting location;
- compromising the secrecy of the voting;
- interfering, or attempting to interfere, with an Elector who is marking a ballot;
- obtaining or attempting to obtain, in a voting location, any information about how an Elector intends to vote or has voted; and, communicating any information obtained at a voting location about how an Elector intends to vote or has voted.

### **Copies of Voters List**

Upon written request to the Clerk, a copy of the Voters List (through access to the Candidates Portal) shall be provided to:

- the secretary of a local Board of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a question to electors;
- the Clerk of the local municipality responsible for conducting the elections in any combined area for school board purposes;
- the Clerk for an upper-tier municipality of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a by-law or question to the electors (County of Haliburton);
- the Minister, if he or she has submitted a question to the electors; and;
- Candidates (for Ward Council candidates only those portions pertaining to their area).

Candidates will be required to execute a declaration confirming that the list will be used only for the purpose of the 2018 Municipal Election.

**Form - Candidate's Declaration – Proper Use of Voters List**



### Assistance of Electors

If an Elector requires assistance to vote, the Clerk or their designate(s) may provide such assistance. Candidates or their scrutineers are not permitted to interpret for or assist any Electors.

### Election Signs

The Municipality of Dysart et al does not have an Election Sign By-law, although in the Municipal Sign By-law No. 2007-90, as amended, section 4.4 states that election signs are to be removed within two weeks after the election. Candidates are responsible to ensure any signage is in compliance with the appropriate authority's local by-laws, provincial/federal ministry or department, or federal and provincial legislation.

### New for the 2018 Election

The MEA states that any election campaign advertisement purchased by or under the direction of a candidate, **will be required to identify the candidate or the third party advertiser.**

[Form - County of Haliburton Sign By-law](#)

[Form – MTO Guidelines for Election Signs](#)

### Rental Housing and Condominium Corporations

Landlords and condominium corporations cannot prohibit their tenants from displaying campaign signs in their own unit. The condominium corporation/landlord will have the right to establish reasonable conditions related to the size or type of sign. Landlords and condominium corporations may prohibit the display of signs in relation to common areas of the building.

### Enforcement & Penalties

There are penalty provisions in the MEA that are applicable to candidates who fail to meet the disclosure and reporting requirements of the Act.

If a candidate fails to pay over a surplus to the Clerk or exceeds their election spending limit, they forfeit any office they have been elected to and are ineligible to run for or to be appointed to any office in Ontario until the next regular election.

A candidate will be permitted to resubmit a financial statement to correct an error, until the filing deadline. The nomination filing fee will only be refunded if a financial statement is filed on time. If a candidate doesn't file their financial statement on time and is willing to pay a \$500 late filing fee, the candidate will be provided an additional 30 day grace





period to file the financial statement. A candidate exercising this option will not be refunded their nomination filing fee.

### **Campaign Contributions**

Corporations and trade unions that hold bargaining rights for employees in Ontario are prohibited from contributing to a campaign. A corporation or trade union that contravenes the campaign financing provisions of the MEA, is liable to fines up to \$50,000.

Candidates will be required to inform contributors of the contribution limits. A contributor is limited to a total of \$1,200 to any one candidate in an election and \$5,000 to two or more candidates for office on the same council or local board.

An individual, including the candidate, who contravenes the provisions of the MEA, is liable to fines of up to \$25,000.

### **Clerk's Responsibility to Review Financial Statements**

The Clerk will be required to review all of the financial statements received and identify whether any contributor appears to have exceeded any of the contribution limits. The Clerk will be required to report to the Compliance Audit Committee as soon as possible after the filing deadline regarding contributions made to candidates and third party advertisers in excess of the established limits. Within 30 days of receiving the report, the Compliance Audit Committee must consider the report and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

### **Clerk's Report on Financial Statements**

As soon as possible after April 30, 2019, the Clerk will be required to provide a report and make it available on the Municipality's website, setting out all candidates in an election and indicating whether each candidate complied with financial reporting requirements.

### **Notice of Penalties**

In accordance with the MEA, the Clerk shall before Voting Day, notify all candidates of the penalties under subsection 88.23 (2) and 92(1) related to election campaign finances.

**Form – Notice of Penalties Under Subsection 88.23 (2) and 92(1)**

### **Further Information**

The information contained within the procedure guide is very general; therefore, candidates are encouraged to refer to the pertinent sections of the MEA.

For further information regarding the Municipal Elections, please contact the Clerk.





### Election Finances / Campaign Contributions

Information regarding election finances such as financial responsibilities of candidates, campaign contributions/fundraising, campaign expenses and financial reporting is available in the Ministry of Municipal Affairs and Housing's 2018 Candidates' Guide for Ontario Municipal and School Board Elections. This and other documentation can be found on the Ministry of Municipal Affairs and Housing website ([www.mah.gov.on.ca](http://www.mah.gov.on.ca)).

All candidates are required to file a financial statement using the prescribed form **no later than 2:00 p.m. March 29, 2019. Electronic submissions will not be accepted.** The Clerk shall provide notice of all of the filing requirements under s. 88.25 (9), 34, 88.23 (2) and 92.1 and of the penalties under subsections 88.23 (2) and 92(1), by regular mail, to every candidate at least 30 days before the filing date. The financial statements shall be available for viewing by the public on the Municipality of Dysart et al website.

Form – Financial Statement – Auditor's Report Candidate (Form 4)

Form – Notice to Candidate of Filing Requirements

Form – Notice of Default – Candidate



### **THIRD PARTY ADVERTISEMENTS**

Individuals, corporations and unions can register as third party advertisers and can also make contributions to third party advertisers. In accordance with the requirements of s. 88.6, third party advertisers will need to register with the municipality where they want to advertise. If they want to advertise in more than one municipality, they have to register in each municipality.

Registration allows a third party advertiser to promote or oppose any candidate that the electors in the municipality can vote for (local council and school board trustee positions).

Third party advertising must be done independently of candidates, who are not able to direct a third party advertiser. Candidates are not able to register as third party advertisers.

Third Party Advertisers may register with the municipality starting on Tuesday May 1, 2018 and until Friday October 19, 2018. Third Party Registrations will not be accepted after the deadline.

#### **Eligibility for Registration (Section 88.6 (4), (5) and (6))**

Registration shall be restricted to the following persons and entities:

- An individual who is normally resident in Ontario.
- A corporation that carries on business in Ontario.
- A trade union that holds bargaining rights for employees in Ontario.

The following persons and entities are deemed ineligible to register:

- A candidate whose nomination has been filed.
- A federal political party registered under the *Canada Elections Act* or any federal constituency association or registered candidate at a federal election endorsed by that party.
- A provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act*.
- The Crown in right of Canada or Ontario, a municipality or local board.

A Candidate whose nomination has been filed shall not direct any third party advertisements.

#### **Filing the Notice of Registration (Section 88.6 (2), (7) and (13)) (Third Party)**

Notice for Registration shall be filed with the Clerk starting May 1, 2018 to Friday, October 19, 2018 (the Friday before voting day) during regular office hours in the following manner:



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- in person or by an agent;
- no faxed or other electronically transmitted registration notices will be accepted – original signatures required;
- with proof of identity as prescribed in *O. Reg. 304/13*, as amended;
- a resolution from the corporation or trade union that authorizes the person or agent to register on their behalf, if applicable.

The Clerk shall provide the Notice for Registration to the individual or to the representative of the corporation or trade union. The date and time of filing are to be filled in by the Clerk and initialled by the individual or by a representative of the corporation or trade union. The Clerk will then sign the Notice for Registration.

#### Notice of Registration – Third Party Advertiser (Form 7)

#### Restricted Period

The restricted period for third party advertisements in relation to an election in a municipality begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration (May 1, 2018) as a registered third party in relation to the election and ends at the close of voting on voting day.

No individual, corporation or trade union shall incur expenses for a third party advertisement that appears during the restricted period for third party advertisements unless the individual, corporation or trade union is a registered third party under section 88.6 when the expenses are incurred and when the advertisement appears.

The Clerk shall calculate the estimated maximum third party expenses for registered third parties and an estimated maximum amount of expenses for parties and provide a Certificate to the individual filing the registration. The Clerk's calculation is final.

#### Form – Certificate of Estimated Campaign Spending Limits – Registered Third Party

#### Notice of Penalties – Third Party Advertisers

The Clerk shall, at least 30 days before the filing date, provide a notice of the penalties on the Notice of Penalties – Registered Third Parties to every Registered Third Party that registered in the municipality.

#### Form – Notice of Penalties - Registered Third Party

#### Form – Contributions to Registered Third Party

#### Final Calculation of Third Party Expenses

The Clerk shall, after determining from the number of eligible electors from the voters' list, calculate the maximum amount of third party expenses that each registered third party



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may incur and prepare a Certificate of Maximum Third Party Expenses and a Certificate of Maximum Amount of Expenses for Parties, etc. The certificates shall be given to each individual that filed a notice of registration for third party advertising in the case of a regular election, on or before September 25, 2018; and in the case of a by-election, within 10 days after the Clerk makes the corrections under subparagraph 4 iii of subsection 65 (4) or subparagraph 3 ii of subsection 65 (5).

The number of electors to be used in this final calculation is to be the greater of the following:

- The number determined from the Voters' List from the previous regular election, as it existed on Nomination Day for the 2014 election, adjusted for changes under section 24 and 25 that were approved as of that day;
- The number determined from the Voters' List for the current election as it exists on September 15 in the year of the current election, adjusted for changes under section 24 and 25 that were approved as of that day. (Section 88.21 (11))

#### Form – Certificate of Maximum Campaign Spending Limits – Registered Third Party

#### List of Registered Third Parties

A list of registered third parties shall be posted using the Official List of Registered Third Parties, as a minimum, on the website and may also include the phone number and email address provided by the registered third party in the notice of registration filed and, if applicable, a hyperlink to the website of the registered third party.

#### Form – Official List of Registered Third Parties

#### Duties of Registered Third Parties

The Clerk shall provide the Duties of Registered Third Parties at the time of filing.

#### Form – Duties of Registered Third Party

#### Third Party Advertisements (s. 88.4)

All third party advertisements must be in compliance with s. 88.4.

#### Mandatory Information in Third Party Advertisements

No registered third party shall cause a third party advertisement to appear during the restricted period unless the advertisement contains the following information:

1. The name of the registered third party.
2. The municipality where the registered third party is registered.



3. A telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

### **Mandatory Information for Broadcaster, etc.**

A registered third party shall not cause a third party advertisement to appear during the restricted period unless he, she or it provides the following information to the broadcaster or publisher in writing:

1. The name of the registered third party.
2. The name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party.
3. The municipality where the registered third party is registered.

### **Prohibition, Broadcaster or Publisher**

No broadcaster or publisher shall cause a third party advertisement to appear during the restricted period if the information set out in paragraphs 1 to 3 of above have not been provided.

### **Mandatory Information in all Ads**

Third Party Advertisements must contain:

- name or registered third party;
- the Municipality where the third party is registered;
- Telephone number, mailing address or email address.

### **Notification to Broadcasters**

The Broadcaster must be provided the following in writing:

- name of registered third party;
- Municipality were registered;
- name, business address and telephone number of individual under direction of registered third party.

Records must be kept by the Broadcaster for 4 years.

**Form – Broadcaster/Publisher Information Sheet – Registered Third Party**



## **THIRD PARTY FINANCIAL STATEMENTS**

All Registered Third Parties shall file with the Clerk, the Financial Statement – Auditor’s Report – Third Party – Form 8 on or before 2:00 p.m. on March 29, 2019, reflecting the Registered Third Party’s campaign finances in relation to third party advertisements as of December 31 in the year of the election. The earliest the Financial Statement – Auditor’s Report can be filed is the first day the Municipal Office is open in January 2019.

### **Form – Financial Statement – Auditor’s Report – Third Party (Form 8)**

No later than February 27, 2019, the Clerk shall send by regular mail notice of filing requirements and penalties to all Registered Third Parties on the form: Notice to Registered Third Party of Filing Requirements.

- all the filing requirements of this section; and
- the penalties set out in subsections 88.27 (1) and 92 (4).

There is a 30-day grace period for third party advertisers who miss the deadline to file a financial statement and auditor’s report, provided that the candidate or third party advertiser pays a \$500 late filing fee to the municipality.

### **Form – Notice to Registered Third Parties of Filing Requirements**

## **NOTICE OF DEFAULT**

A Notice of Default – Registered Third Party shall be given to the registered third party by regular mail, that has not submitted the Financial Statement – Auditor’s Report on or before 2:00 p.m. on March 29, 2019.

The Clerk shall make available to the public the name of the registered third party and a description of the nature of the default.

As soon as possible after April 30<sup>th</sup> in the year following a regular election, or 75 days after Voting Day in a by-election, the Clerk shall make available to the public on a website or in another electronic format, a list of all registered third parties for the election, along with an indication of whether each has filed a financial statement and auditor’s report under section 88.29 (1) (Financial Statements, etc. of Registered Third Parties).

For questions regarding third party finances, the third party advertisers are directed to Sections 88.26 – 88.29, 88.30 – 88.32.

### **Form – Notice of Default – Registered Third Party**



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**MUNICIPAL AUTHORITY TO REMOVE ADVERTISEMENTS (SECTION 88.7) -  
CANDIDATES AND THIRD PARTY ADVERTISERS**

If a municipality is satisfied that there has been a contravention of section 88.3 (candidates' election campaign advertisements), 88.4 (third party advertisements) or 88.5 (mandatory information in third party advertisements), the municipality may require a person who the municipality reasonably believes contravened the section or caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising.



## **VOTING PROCESS**

### **Ballot**

The Municipality will use a “composite ballot” for which the following rules apply:

- Only the names of certified candidates shall appear on the ballot.
- The candidates’ names shall appear on the ballot, in the format of first name then last name (e.g. John Doe), in alphabetical order, based on their surnames and in the case of identical surnames, their forenames. Middle initials shall not be used on the ballot unless it is deemed necessary by the Clerk.
- If the candidate wishes and the Clerk agrees, another name that the candidate also uses may appear on the ballot instead of or in addition to his or her legal name (e.g. Bill instead of William).
- No reference to a candidate’s occupation, degree, title, honour or decoration shall appear on the ballot.
- If the surnames of two or more candidates for an office are identical or in the Clerk’s opinion so similar to cause possible confusion, every candidate’s qualifying address shall appear under his or her name.
- A space for marking the ballot shall appear to the right of each candidate’s name.

A composite ballot refers to a single ballot that is used for all offices for which an election is being held.

### **Voters Kit**

The Vote By Mail kit will be printed and mailed through the Municipality’s contract with DataFix.

Each kit will contain:

- Voting Instruction Sheet/Voter Declaration Form
- Composite Ballot
- Ballot Secrecy Envelope
- Outer Return Envelope with prepaid postage
- Such other material as the Clerk determines





### **Receiving the Voter Kit:**

Due to the time period between which the Voter Kits are being printed then subsequently mailed, the following timelines and processes are established for the provision of Voter Kits to qualified Electors:

- For qualified Electors on the Voters List or added to the Voters list up to and including September ??, 2018 (**date to be verified**), a Vote By Mail Kit will be mailed to the Elector's address as shown on the Voters List on or about September 24, 2018 by the Municipality's contracted provider of this service.
- For qualified Electors who are added or whose information has changed so that they require a new ballot between September ??, 2018 and October ??, 2018 (**dates to be verified**), a Vote By Mail Kit will be either provided in person or mailed to the Elector's address as shown on the Voters List.
- After October ??, 2018 (**dated to be verified**) qualified Electors who are added, whose information has changed so that they require a new kit or did not receive their original ballot must attend the Municipal Office in person to receive their Vote By Mail Kit.

If a qualified Elector does not receive their Vote By Mail kit by October ??, 2018 (**date to be verified**), or if it is lost or destroyed, a new Kit may be issued by attending the Municipal Office. The Clerk or designated election official will confirm that the Elector is qualified and the Elector must complete an Application for Replacement Voter Kit in the presence of the Clerk or their designate and produce a legible copy of suitable identification as stipulated in the Voter Identification form.

### **Form – Application for Replacement Voter Kit**

#### **Instructions for Voters**

Upon receipt of the Vote By Mail Kit, the voter shall complete the ballot, place it in the inner Ballot Secrecy Envelope and seal the envelope. The voter shall complete the Voter Declaration Form and place it, along with the sealed Ballot Secrecy Envelope, in the prepaid business reply envelope (keeping them separate inside the business reply envelope).

The final day to deposit the Return Voting Envelope in the mail to ensure delivery to the Clerk is **October 11, 2018**. Following this date, voters are to deliver their completed kit to the Municipal Office, 135 Maple Avenue, Haliburton, up to 8:00 p.m. on October 22, 2018.

If the Elector wishes to physically place their Return Envelope in the secured Drop Box they may do so at a Drop-off Centre.



Ballots received after 8:00 p.m. on Voting Day shall not be counted, but shall be date stamped and retained for the statutory document retention period (120 days).

**It is against the law to vote more than once for any elected office or any question with the same municipality or school board jurisdiction.**

### **Procedure for picking up and processing mail from the Post Office**

A minimum of two election officials shall attend the post office together and pick up the yellow return envelopes on a daily basis beginning **October ??, 2018 and ending on October 22, 2018.**

The yellow return envelopes shall be delivered directly to the Municipal Office to be counted by election officials to verify Canada Post billing. Election officials will then sort the envelopes by ward and place them in the ballot boxes.

At the end of each business day, the ballot boxes shall be sealed and stored in a secure location designated by the Clerk until processed in accordance with the procedures set out for processing of yellow return envelopes.

### **Process for dealing with “Returned Mail” Voters Kits**

The Post Office will return any voters kit to the Municipal Office if they cannot deliver the kit with the mailing address provided by MPAC. A minimum of two election officials shall separate any “returned mail” envelopes from the ballot packages. They shall be sorted in alphabetical order and stored in a secure location designated by the Clerk. If, in examining “returned mail” the ballot package is visible, the return envelope shall immediately be opened and examined to see if the voter has returned the secrecy envelope and voter declaration form in this envelope in error. If this is the case, it shall be dealt with as noted under procedures for picking up election mail.

If a person attends the Municipal Office and advises they have not received a voters kit, election staff shall ensure the person is on the voters list. If they are on the voters list, but have the wrong mailing address, the returned kits will be checked. If the kit has been returned, the elector shall complete the prescribed form to change the address and receive the original voter kit if the correct ward ballot had been issued. If the elector requires a new ward ballot they shall be given it upon completion of the form. This should be clearly marked on the prescribed form.

If there is no returned voters kit, a new voters kit shall be issued after the appropriate oath has been administered.



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After October 22nd, election staff will review the “returned mail”, count the number returned, mark down any information as to why it was returned so that the information can be provided to MPAC to update the voters list.

The “returned mail” will be stored and destroyed with election material as per the statutory document retention period (120 days).

### **Processing of Yellow Return Envelopes**

The processing of the Yellow Return Envelopes will take place daily at 5:00 p.m. commencing on October 15, 2018 – October 19, 2018. Should it appear that additional hours will be needed to process the envelopes; candidates will be notified of the change in hours.

This process involves removing the sealed Ballot Secrecy Envelope and Voter Declaration Form and updating the Voters List by electronically “striking” names from the list by scanning the bar code on the declaration form.

Individual work stations will be set up in order to keep the opening of the yellow return envelopes separated by ward.

Two election officials will remove the seal from the ballot box and open the yellow return envelopes using the electronic letter opener and deliver to the individual work stations.

Candidates or one Scrutineer per candidate may be present to observe the process.

To ensure multiple votes by the same elector do not occur, the Ballot Secrecy Envelope and Voter Declaration Form must remain together until after the name has been struck from the list.

The following conditions cause a ballot to be considered rejected:

- Upon opening the Yellow Return Envelope the Voter Declaration Form is not signed.
- Upon opening the Yellow Return Envelope if there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms/no Voter Declaration Form/no Ballot Secrecy Envelope.
- There are identifiable marks on the sealed Ballot Secrecy Envelope.
- If the elector’s name has already been struck off the voters list as having voted, the outer envelope will be marked as such, dated and initialled.



- Upon opening the sealed Ballot Secrecy Envelope at the Ballot Counting Centre, the envelope contains more than one ballot.
- Upon opening the sealed Ballot Secrecy Envelope at the Ballot Counting Centre, the ballot contains writing or marks that may identify the elector, or is torn, defaced or otherwise dealt with in a way by the elector that may identify him or her.

All rejected kits will be numbered and will identify the reason for the rejection and stored in a secure location for the duration of the statutory retention period (120 days).

If, upon opening the Yellow Return Envelope where a signed declaration is present and the Ballot is not in a Secrecy Envelope, the Clerk/Election Official may immediately insert the Ballot in a Secrecy Envelope without examining the ballot.

The sealed Ballot Secrecy Envelopes will be stored in sealed ballot boxes in a secure location under the control of the Clerk. The number of Ballot Secrecy Envelopes placed in the boxes each day will be recorded. There will be a maximum of 300 ballots per box. On Election Day, the sealed ballot boxes will be transported to the Ballot Counting Centre for tabulation.

### **Processing of Ballot Secrecy Envelopes**

Candidates or one Scrutineer per candidate may be present to observe the process. The section of this procedure document entitled “Scrutineers” shall apply.

### **Envelope Opening Process**

Upon opening the Ballot Secrecy Envelope the following conditions cause a ballot to be considered rejected:

- The envelope contains more than one ballot,
- The ballot contains writing or marks that may identify the elector, or is torn, defaced or otherwise dealt with in a way by the elector that may identify him or her.

All rejected ballots will be numbered on the back of each ballot and identified in the corresponding list outlining the reason for the rejection. Rejected ballots will be stored in a secure location for the duration of the statutory retention period (120 days).

### **Processing of Ballot Secrecy Envelopes (Voting Day)**

Candidates, or one scrutineer per candidate, may be present to observe this process. The section of this procedure document (including required forms) entitled “Scrutineers” shall apply.



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Only on Voting Day (after 8:00 p.m.) will the ballots be removed from the Secrecy Envelope.

Upon opening the Ballot Secrecy Envelope, the following conditions cause a ballot to be rejected:

- The envelope contains more than one ballot.
- The item is anything other than a ballot.
- There is something else in the envelope in addition to a ballot (this would identify a voter).
- The ballot contains writing or marks that may identify the Elector, or is torn, defaced or otherwise dealt with in a way by the Elector that may identify him or her.
- The ballot is not a current Municipality of Dysart et al ballot.

All rejected ballots will be numbered on the back of the ballot and identified in a corresponding list outlining the reason for rejection. Rejected ballots will be stored in a secure location for the duration of the statutory retention period (120 days).

### **Dominion Voting Systems – Optical Scan Tabulators**

Dysart et al will utilize two (2) Optical Scan Tabulators and (2) Computers loaded with appropriate software to drive each tabulator supplied by Dominion Voting Systems to count the ballots. Onsite technical support will be provided by Dominion Voting on Election Day. The County IT Department will be on-call to provide emergency IT support as determined necessary by the Clerk.

Each of the Optical Scan Tabulators scans at a speed of approximately 1,000 ballots per hour.

The tabulation equipment and computers will NOT be attached to the local area network on Election Day in order to ensure avoidance of external threats.

The tabulators will be pre-programmed so that a printed record of the number of votes cast for each candidate can be produced. Blank, over voted, under voted, and ballots which the tabulator cannot read will be processed as follows:

- A ballot without votes in any of the specified voting spaces (blank) will be scanned like any other ballot, and recorded as blank.
- A ballot with more designated voting spaces marked for an office than the voter is entitled to vote for (over voted) will be scanned like any other ballot, and recorded as an over vote (for that specific office) with the remainder of the ballot tabulated accordingly.



- A ballot with fewer designated voting spaces marked for an office that the voter is entitled to vote for (under voted) will be scanned like any other ballot, and recorded as an under vote (for that specific office) with the remainder of the ballot tabulated accordingly.
- A ballot that is damaged or defective or has been marked in such a way that it cannot be properly processed by a vote tabulator will cause the tabulator to stop and allow the Clerk/Deputy Returning Officer to assess the ballot.

Election event definition including number of wards, detail of school board support, contests to appear on each of the ballots, number of candidates to vote for in each contest will occur in June.

Hardware delivery, software installation and training of election officials will occur between June and October. All hardware will be stored in a secure location under the control of the Clerk for the duration of the election.

Candidate definition, final system configuration and ballot generation will occur after Nomination Day, July 27, 2018.

During the week before the election, “Logic & Accuracy” testing will be conducted in order to confirm the system has been configured correctly, and that all components are functioning properly.

In general, “Logic & Accuracy” testing consists of the following basic steps:

- For each tabulator, mark a set of election ballots in a pre-specified way, to create what is referred to as a “test deck” for that tabulator.
- Run the appropriate test deck through each of the tabulators.
- Upload the results files from each of the tabulators into the results tally & reporting software.
- View the “watermarked” images for each of the ballots in order to confirm that the system has interpreted each individual ballot correctly.
- Use the tally & reporting software to generate totals reports, and compare the results from these reports with the known correct results for the test decks.
- If any discrepancies or errors are encountered during this process, the Clerk will contact a Dominion representative immediately in order to correct the problem. Once the problem has been corrected, the entire Logic & Accuracy testing procedure will be repeated.
- If there are no errors or discrepancies, the Clerk will sign and date the appropriate forms certifying successful completion of the Logic & Accuracy testing procedure, send copies of these forms to the Dominion representative, and retain the original forms, along with the test decks for record keeping purposes.





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- Finally, “re-zero” each of the tabulators and purge the results database in order to delete the Logic & Accuracy results from the system prior to the actual election.

The Clerk shall establish a time prior to Election Day when candidates will have an opportunity to view how the tabulators work.

#### **Tabulation Procedures (Using Optical Scan Tabulators)**

The Council Chamber at the Municipal Office will be established as the Ballot Counting Centre. Only the Clerk, appointed Election Officials, certified Candidates and authorized Scrutineers will be permitted to remain in the Ballot Counting Centre. Once all approved personnel are in the Ballot Counting Centre, the Ballot Counting Centre will be sequestered until such time as the tabulation of the votes is complete.

At 4:00 p.m. on Election Day, all received Ballot Secrecy Envelopes will be processed and prepared for tabulation, by removing the ballots from their secrecy envelopes and placed face down in batches of 50. Once a few batches, are ready tabulation will begin.

The Candidates or one Scrutineer per candidate (upon submission of his/her written appointment) may be present in the Ballot Counting Centre to oversee the tabulation. A seating area will be provided for them away from the tabulation area for their use. Cell phones or other electronic equipment will not be permitted in the Ballot Counting Centre. Candidates and Scrutineers shall not interfere with the vote count in any manner. If they do, they shall be required to leave the facility when so requested by the Election Official.

The Clerk, or her designate, shall take any ballots that have been dropped off in the Ballot Boxes, by 8:00 p.m. on Election Day, October 22, 2018 and have been struck off the Voters List to the Ballot Counting Station. The Ballots will be processed as set out in these procedures.

An unreadable ballot is different from an over vote or under vote ballot in that the tabulator cannot process it, due to tears or marks over the orientation markings along the side and bottom of the ballot, or along vertical black marks that could confuse the scanner, etc. If during the scanning of that batch, the tabulator encounters an unreadable ballot, the scanning will stop. However, because scanning happens so fast, 4 or 5 ballots will have already been drawn into the tabulator before it realizes it has found an unreadable ballot. To find the unreadable ballot in the pile of “scanned” ballots the previous 5 or so ballots in the “scanned” tray must be viewed, the unreadable ballot removed, and reviewed by the Clerk/Deputy Returning Officer to determine what to do with it (e.g. remark the ballot, reject it, etc.).

The ballots in the scanned tray will be recombined with the unscanned ballots and returned to the feeding tray to rescan the whole batch. (The entire batch is rescanned to defend against human error e.g. if the user took out the wrong ballot when looking for the unreadable ballot, this would result in a mistake. Since the ballots have been handled,



the batch needs to be rescanned to ensure the scan is completed accurately.)

In the event a ballot is accidentally cut when the sealed Ballot Secrecy Envelope is opened, the ballot shall be replaced with a new ballot at the remarking station and counted. The Clerk/Deputy Returning Officer shall number both ballots and make a notation to this effect on the back of the ballot.

If, for any reason, the Clerk is of the opinion that it is impracticable to count the votes with the vote tabulators, she may direct that all the votes cast in the election shall be counted manually following as far as practicable for the provisions of the Act governing the counting of votes.

8194When the vote counting is complete, the ballots will be sealed in boxes and initialled by the Clerk/Deputy Returning Officer then transferred to a secure place under the control of the Clerk.

The Unofficial Results of the count will be declared by the Clerk.

The Clerk shall, at the completion of the count, retain the programs, memory packs, test materials and ballots in the same manner as it is provided for the keeping of election records (120 days).

### **RESULTS OF ELECTION**

As soon as possible after Voting Day, the Clerk shall declare the candidates elected as a result of the election, and certify the results of the election.

Form - Declaration of Elected Candidates

Form - Certificate of Election Results

### **RECOUNT**

In accordance with the MEA a recount shall be conducted in the same manner as the original count. Only a judge may provide that a recount be held in a different manner than the original count.

### **CLERK'S AUTHORITY**

A Clerk who is responsible for conducting an election may provide for any matter or procedure that:

- Is not otherwise provided for in an Act or regulation; and
- In the Clerk's opinion, is necessary or desirable for conducting the election.





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The Clerk at any time has the right to amend this document to facilitate the vote, count, votes and security. The Clerk's ruling on any interpretation of this document is final.

The Clerk has the authority to remove a person's name from the Voters List if the Clerk is satisfied that the person has died (without an application to change the Voters List).

## **EMERGENCY SITUATIONS**

In the event of any condition of an emergency or any circumstance that will undermine the integrity of the election, the Clerk has the discretion to declare an emergency and make any arrangements deemed necessary for the conduct of the election.

### **Postal Services Disruption**

In the event of a disruption to postal services of any kind, the Clerk is authorized to establish voter kit pickup locations. It would be the sole responsibility of the elector to pick-up their voter kit. The Municipality would take all reasonable measures to notify electors. Voters would be required to show identification in accordance with the MEA and the Clerk would establish procedures as necessary.

## **DISPOSITION OF RECORDS**

After one-hundred and twenty (120) days from declaring the results of the election (subject to a Judge's order or recount proceedings), the Clerk shall destroy (shred) the ballots in the presence of two witnesses. The Clerk may also destroy all other documents and materials related to the election except those specified under the Act (e.g. financial statements filed by candidates).

All materials destroyed will be listed, and a declaration stating their destruction will be taken and retained on file.

**Form - Declaration of Destruction of Records**

## **FORMS**

Available upon request.