



2022 Municipal Election Procedures

Township of Minden Hills



Declaration

In accordance with Sections 12(1) and 42(3) of the *Municipal Elections Act, 1996*, I hereby certify that the following procedures shall be followed in conducting the 2022 Municipal Election in the Township of Minden Hills.

DATED at the Township of Minden Hills, in the County of Haliburton this 29th day of April, 2022.

Trisha McKibbin
Municipal Clerk
Township of Minden Hills

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1.0 OVERVIEW

The *Municipal Elections Act, 1996* (the “Act”), requires the Municipal Clerk to establish procedures and forms for voting and vote-counting equipment within their municipality (Section 42(3)) and to provide a copy of the procedures and forms to each candidate when his or her nomination is filed. *The Act* further grants the Municipal Clerk authority to provide for any matter or procedure that is not provided for in *the Act* (Section 12(1)).

The following procedures detail the process to be followed as directed by the Municipal Clerk for the 2022 Municipal Elections in the Township of Minden Hills.

Where these procedures do not provide for any matter, an election to which this procedure applies shall be conducted in accordance with the principles of *the Act*. These principles are generally recognized as being:

- The secrecy and confidentiality of individual votes is paramount;
- The election should be fair and non-biased;
- The election should be accessible to the voters;
- The integrity of the process should be maintained throughout the election;
- There is to be certainty that the results of the election reflect the votes cast;
- Voters and Candidates should be treated fairly and consistently; and
- A proper majority vote decides the election by ensuring, so far as reasonably possible, that valid votes be counted and invalid votes be rejected.

The Clerk at any time has the right to amend this document to facilitate the vote, count, tabulation of the votes and security.

The Clerk’s ruling on any interpretation of this document is final.

2.0 DEFINITIONS

Act means the *Municipal Elections Act, 1996, S.O., 1996, c. 32*, as amended;

Advance Vote or Advance Voting means the voting opportunities in advance of Voting Day as authorized by By-law;

Auditor means the person appointed by the Clerk who performs the prescribed combination of processes and procedures (audit duties) designed to validate a range of activities and/or functions of the internet/telephone voting system;

Ballot means either an image on a computer screen, or any web enabled device, of a ballot card for an election to be voted for, including all choices available to the electors and containing spaces in which the electors mark their votes; or when voting using a telephone or wireless phone, an audio set of instructions which describe all choices available to the electors and instruction to mark their selection by depressing the numbered touchtone keypad;

Further, a Ballot may refer to a paper Ballot outlining the possible choices available to electors for marking their vote(s) for all applicable offices, to be counted manually.

Ballot-Marking Pen means the designated Ballot-Marking Pen provided by an Election Official for the use of a voter to mark the ballot;

Candidate means a person who has been nominated under Section 33 of the Municipal Elections Act, 1996.

Certified Candidate means a candidate whose nomination has been certified by the Municipal Clerk under Section 35 of the Municipal Elections Act, 1996.

Clerk means the Clerk of the Township of Minden Hills who is responsible for conducting this election under the authority of the Act. All references to the Clerk for the purposes of this manual shall mean the Returning Officer (R.O.) for the 2022 Municipal Election. All references to Clerk's designate shall mean the delegated duties of the R.O;

Deputy Returning Officer means a person appointed by the Clerk for the Voting Place who will be delegated specific duties and powers by the Clerk;

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;

Election Official means the person designated by the Clerk to perform election functions. An election official can only carry out the tasks and duties as assigned in writing by the Clerk, and must take the prescribed oath.

Eligible Elector means a person who is entitled to be an elector at an election held in the local municipality, if on voting day he or she meets the qualifications outlined in Section 17(2) and 17(3) of the Municipal Elections Act, 1996.

Friend means a person who has been requested by an elector to assist him or her in the voting process.

Election Return Headquarters means the location where the election materials are marshalled prior to Voting Day. The Election Return Headquarters is the Administrative Building, 7 Milne Street, Minden;

Candidate means a person nominated under s. 33 of *the Act*;

Certified Candidate means a Candidate whose nomination was certified by the Clerk under s. 35 of *the Act*;

Clerk means the Municipal Clerk, or designate, for the Corporation of the Township of Minden Hills;

Clerk's Department means the Corporate Services Department of the Corporation of the Township of Minden Hills;

Friend means a person who has been requested by an elector to assist him or her in the voting process;

Help and Revision Centre means a location and time designated by the Clerk to make additions, deletions and corrections to the Preliminary List of Electors and Voters' List, and to assist electors. The Centre will be supplied with an internet connection to accommodate voting during the voting period;

Municipal Administration Office is the Municipal Office for the Township of Minden Hills, located at 7 Milne Street, Minden, Ontario;

Owner or Tenant in relation to an election, means a person who is the owner or tenant shown on the assessment roll of land assessed under the Assessment Act and a non-residential tenant of land assessed under the Assessment Act, whether or not the tenant is shown on the assessment roll, but does not include an owner or tenant of land who is entitled to use the land under a time share contract unless the person is entitled to use the land,

(a) on voting day, or

(b) for a period of six weeks or more during the calendar year in which voting day of the election is held

Tenant includes an occupant and a person in possession other than the owner or the spouse of such owner or tenant.

Password means an additional access control word assigned by ScytI Canada Inc. to each authorized user to provide additional security for access to the voting system;

Personal Identification Number (PIN) means a unique multiple digit number assigned by ScytI Canada Inc. to each voter to provide security for access to the voting system;

Preliminary List of Electors means a list of electors for The Township of Minden Hills compiled by the Municipal Property Assessment Corporation (MPAC) and provided to The Township of Minden Hills between July 31 and September 1 of an election year as agreed upon by MPAC and the Clerk;

Registered Third Party (Third Party Advertiser) means an individual who is normally a resident in Ontario, a corporation that carries on business in Ontario or a trade union that holds bargaining rights for employees in Ontario, and who's Notice of Registration for Third Party Advertiser has been certified by the Clerk;

Restricted Period for Third Party Advertisements begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a registered third party and ends at the close of voting on Voting Day;

Regular Office Hours means Monday to Friday, 8:30 a.m. to 4:30 p.m. (closed for statutory holidays);

Satisfactory Identification means the identification required under the Municipal Elections Act, 1996 (Ontario Regulation 304/13) which would provide proof of identity and residence of an individual to the satisfaction of an election official;

Script means all information flow and system prompts from the eVoting system Including instructions, informational messages, error messages, and exceptions.

Scrutineer means an individual, appointed in writing by a certified candidate, to represent him or her during the voting process;

Secrecy Folder means an apparatus in which a ballot can be placed so as to conceal the names of the candidates and the marks upon the face of the ballot but does expose the initials of the Election Official;

Support person means a person who has been requested by an elector to assist him or her in the voting process;

Third Party Advertisement means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate, or a “yes” or “no” answer to a question on the ballot, but does not include an advertisement by or under the direction of a candidate, or an advertisement that Incurs no expenses in relation to the advertisement, or an advertisement that is transmitted to employees, shareholders, or directors of the registered third party;

Township means the Corporation of the Township of Minden Hills;

Trade Union means a trade union as defined in the Labour Relations Act, 1995 or the Canada Labour Code (Canada) and Includes a central, regional or district labour council in Ontario;

Voter Information Letter means a sealed envelope containing a Personal Identification Number (PIN) for each person on the voters’ list or who has completed an application, duly approved by an election official, for Inclusion on the voters’ list, a telephone access number and internet address for voting, a Voter Help Centre number for assistance and a list of candidates for office. These envelopes shall be mailed individually, or hand-delivered as required, to every person on the voters’ list;

Voters List means the preliminary list of electors corrected by the Clerk, under s. 22 of *the Act*;

Voting Day means October 24, 2022;

Voting Period means the period in which an eligible voter may cast their vote, either via internet or telephone and shall span from Saturday, October 8, 2022 at 8:00 a.m. to Monday, October 24, 2022 at 8:00 p.m.

Voting Place means a building or property, or part of a building or property or other facility designated by the Clerk at which voting takes place; or to vote via internet as established by the Clerk.

3.0 IMPORTANT DATES

The 2022 Municipal Election will be held on **Monday, October 24, 2022** ending at **8:00p.m.** The Term of Office is four years, beginning on November 15, 2022, and ending November 15, 2023.

Unofficial results will be posted on the municipal website (www.mindenhills.ca) as soon as possible after the close of voting on Monday October 24, 2022. There will be an unofficial announcement event taking place at the Administration Building.

The nomination period for candidates is May 2, 2022 to August 19, 2022 at 2:00 p.m.

Third-Party Advertisers may register from May 2, 2022 to October 21, 2022 during office hours.

The candidate campaign period begins the date of filing the nomination to Tuesday January 3, 2023.

The third party advertiser campaign period begins the date of registration to Tuesday January 3, 2023.

The campaign financial statement filing deadline is Friday March 31, 2023 at 2:00pm.

4.0 ELECTORS

4.1 Qualification of Electors for Municipal Election

A person is entitled to be an elector at an election held in a local municipality (unless prohibited by *the Act* or any other Act) if, on Voting Day he or she:

- Is a Canadian citizen; and
- Is at least eighteen (18) years of age; and
- Resides in the Township of Minden; or is the owner or tenant of land in the Township of Minden Hills, or a spouse or same-sex partner of such a person; and
- Is not prohibited from voting because they are:
 - Serving a sentence of imprisonment in a penal or correctional institution;
 - A corporation;
 - Acting as an executor or trustee or in any other representative capacity; or
 - Was convicted of a corrupt practice described in Section 90(3) of *the Act*, if Voting Day in the current election is less than five years after Voting Day in the election in respect of which he or she was convicted.

IT IS THE RESPONSIBILITY OF THE ELECTOR TO ENSURE THEY ARE QUALIFIED.

4.2 Fractional or Time Share Ownership

A tenant or owner of property under a fractional or time share contract is not entitled to vote unless the person is entitled to use the land:

- On Voting Day; or
- For a period of six weeks or more during the calendar year in which Voting Day of the election is held.

4.3 Students

A student may vote in the municipality where he or she is temporarily residing while attending school as well as at his or her permanent home in a different municipality, provided that he or she does not intend to change his or her permanent home prior to the election.

4.4 Homeless Persons

If a person has no permanent residence, then the following rules determine residence:

- The place in which the person most frequently returned to sleep or eat during the five weeks preceding the determination.

- If the person returns with equal frequency to one place to sleep and another to eat, the place in which he or she sleeps.
- Multiple returns to the same place during a single day, to eat or sleep, are considered to be one return.

A person's affidavit regarding the places to which he or she returned to eat or sleep during a given time period is conclusive in the absence of evidence to the contrary.

4.5 Qualification of Electors for School Board Election

A person is entitled to be an elector in an election held in a local municipality, or in territory without municipal organization within the area of jurisdiction of the district school board if, on Voting Day, he or she:

- Is a Canadian citizen; and
- Is at least eighteen (18) years of age; and
- Has not already voted in the election for school trustees elsewhere in the school board's area of jurisdiction; and
- Resides in the local municipality or territory or is the owner or tenant of a residential property, or a spouse or same-sex partner of such owner or tenant; and
- Is not otherwise prohibited from voting because they are:
 - Serving a sentence of imprisonment in a penal or correctional institution;
 - A corporation;
 - Acting as an executor or trustee or in any other representative capacity; or
 - Convicted of a corrupt practice described in Section 90(3) of *the Act*, if Voting Day in the current election is less than five years after Voting Day in the election in respect of which he or she was convicted.

To vote in an English-Language Public District School Board, an elector in addition to the above, must:

- Be a supporter (or be the spouse of a supporter) of the English-language public district school board; or
- Not be a supporter of any school board, nor have qualified him or herself as an elector for a separate or French-language school board in the election.

To vote in an English-Language Separate District School Board, an elector must be a Roman Catholic who must:

- Qualify as an elector for the English-language separate district school board; or

- Be a supporter (or be the spouse of a supporter) of the English-language separate district school board.

To vote in a French-Language Public District School Board, the elector 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.

To vote in a French-Language Separate District School Board, an elector must be a Roman Catholic and 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 separate district school board; or
- Be a supporter (or the spouse of a supporter) of the French-language separate district school board.

4.6 Electoral Status for School Boards

The electoral status for school purposes is shown on the Voters List. A voter may, during the revision period (Thursday, September 1, 2022 up to, and including, Voting Day, Monday, October 24, 2022), make application for correction of the List. Therefore, a person may make application to change their school support up to and including Voting Day. Qualifications for and definitions of the categories of school electors are found in the *Education Act, R.S.O.1990*.

5.0 CANDIDATES

To run for an office on Council or a School Board, a candidate must be qualified on the day they file the Nomination Paper.

5.1 Council

To run for Council (Mayor, Deputy Mayor, Councillor) the person must:

- Be a Canadian citizen; and
- Be at least eighteen (18) years of age; and
- Be a resident of The Township of Minden Hills or own or lease property (or be the spouse of the owner or lessee) in The Township of Minden Hills; and
- Not be legally prohibited from voting; and
- Not be disqualified by any legislation from holding municipal office; and
- Obtain signatures from at least 25 individuals eligible to vote in the Township of Minden Hills on the day they signed the endorsement.

The following Council offices are to be elected in the 2022 Municipal Elections;

Mayor	One (1) to be elected at large by all voters in the municipality
Deputy Mayor	One (1) to be elected at large by all voters in the municipality
Councillor at Large	One (1) to be elected by all eligible voters in the municipality
Ward 1 Councillor	Two (2) to be elected by Ward 1 eligible voters
Ward 2 Councillor	One (1) to be elected by Ward 2 eligible voters
Ward 3 Councillor	One (1) to be elected by Ward 3 eligible voters

5.2 School Board

To run for School Board Trustee the person must be:

- Be a Canadian citizen; and
- Be at least eighteen (18) years of age; and
- Be a resident in the area of jurisdiction of the board; and
- Be eligible to be an elector for the school board in which the person is a candidate; and
- Not be legally prohibited from voting; and
- 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 (or be the spouse of 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.

To be a candidate in a French-Language Separate District School Board, a candidate must be a Roman Catholic and 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 separate district school board; or
- Be a supporter (or the spouse of a supporter) of the French-language separate 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.

5.3 Nominations

A person can only become a candidate during the nomination period. The nomination period starts on Monday May 2, 2022 and ends on Friday August 19, 2022 at 2:00 p.m. The time for close of Nominations will be confirmed by the Clerk. Nomination papers will not be accepted after the deadline.

Nomination papers must be signed by the candidate and filed in person or by an agent (no fax or email), accompanied by 25 signatures from eligible electors.

Nominations must be filed at the Municipal Office during the period:

- Monday May 2, 2022 through to Thursday August 18, 2022, Monday to Friday (statutory holidays excepted) between 8:30 a.m. and 4:30 p.m.; or
- Friday August 19, 2022 (Nomination Day) between 8:30 a.m. and 2:00 p.m. On Nomination Day, candidates must make their presence known to the Clerk prior to 2:00 p.m.

Nomination papers will not be accepted after the deadline. Nominations may be made by completing and filing, in the office of the Clerk, nomination form and accompanied by the Declaration of Qualification, acceptable identification (must be valid and contain the candidate's name, qualifying address and signature), the prescribed nomination filing fee (\$200 for the Office of Mayor, \$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 payable to the Township of Minden Hills.

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 25 signatures endorsing the

candidate's nomination may be transferred. The filing fee is deemed to have been paid with the latest filing if the two nominations are for the same council or board unless changing offices.

If a greater number of candidates are certified than are required to fill the said office, there will be an election. If the number of nominations for an office is less than the number of candidates to be elected an additional Notice of Nomination will be advertised on the municipal website only and additional nominations may be filed between 9:00 a.m. and 2:00 p.m. on the Wednesday following Nomination Day (August 19, 2022). If Nomination Papers have been filed, the procedure to certify or reject Nomination Papers shall be followed.

5.4 Candidate's Names

The following rules shall apply regarding candidate's names:

- Only the names of Certified Candidates shall appear on the ballot.
- The candidates' names shall appear 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 unless it is deemed necessary by the Clerk.
- If the candidate wishes and the Clerk agrees, another name that the candidate also uses may be used 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.

5.5 Nomination Papers Filed (non-certified)

A list of non-certified nomination papers filed will be posted on the Township website as soon as possible after filing.

5.6 Certify or Reject Nominations

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 August 19, 2022.

Under *the Act*, the Clerk is required to reject or certify nominations of candidates. On or before 4:00 p.m. on August 19, 2022, the Clerk will examine each nomination filed and, if satisfied the person is qualified to be nominated and that the nomination complies with *the Act*, the Clerk shall certify the nomination form.

The Clerk may consider the following requirements 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 is not qualified to hold office, or is otherwise prohibited by law from being nominated;
- The nomination form is not complete or the prescribed filing fee has not been paid;
- The candidate's name does not appear on the Voters List; and
- The mandatory financial statement from a previous election was not filed.

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.

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.

A list of Certified Candidates will be posted on the Township website as soon as possible after certification.

5.7 Withdrawal of Candidate

A candidate may withdraw their nomination by completing a Withdrawal of Nomination form and filing it with the Clerk on or before 2:00 p.m. on August 19, 2022. If the withdrawal is completed by an agent, a copy of the candidate's photo identification must accompany the written notice. The Clerk will contact the candidate for confirmation.

If withdrawing, the candidate is entitled to a refund of the nomination filing fee. The candidate is still required to submit a financial statement covering the financial transactions made up to the point at which withdrawal is submitted. In addition, the candidate will be required to return any election material distributed to the candidate for election purposes.

5.8 Death or Ineligibility of a Candidate

If a Certified Candidate dies or becomes ineligible before the close of voting:

- Resulting in an acclamation for an office, the election to such office is void and a by-election for the office will be held; or
- Resulting in one fewer candidate but no acclamation, the candidate's name will be removed from the ballot if the voting period has not commenced. If the voting period has commenced, the Clerk shall cause notice of the candidate's death or ineligibility on the Township website.

5.9 Acclamations

If the number of candidates for the said office is the same or less than the number to be elected, the candidates will be declared as acclaimed on August 19, 2022 after 4:00 p.m. In this situation there shall be no election conducted for this position(s).

5.10 Ballots

The ballots to be used for the 2022 Municipal Elections will be a composite ballot. In accordance with Section 41 of *the Act*, the ballots will contain the names of all Certified Candidates in alphabetical order by surname for each office to be elected. The Clerk has discretion to select coloured paper and other formatting details with respect to the ballot(s).

A space for marking the ballot shall appear to the right of each candidate's name.

Electors will be instructed to mark their ballot by filling in the designated space to the right of the name of the candidate of their choice. It is the elector's responsibility to mark a ballot properly in order for it to be valid and counted properly.

In accordance with *the Act*, the Clerk may make any necessary changes to the ballot to enable those with visual impairments to vote without assistance.

5.11 Campaigning

5.11.1 Prohibition of Canvassing / Advertising at Voting Place

The Act provides that while an elector is in a Voting Place, no one shall attempt, directly or indirectly, to influence how the elector votes. No campaign material, literature or advertising of any nature whatsoever of any candidate in the election shall be displayed at, or within a Voting Place or municipal facility, including parking lots.

The premises are deemed to include the entire building and the property on which it is located, including the parking lot. Campaign material or literature of any nature found in this location will be removed immediately and disposed of without notice.

5.11.2 Right of Entry for Campaigners

Campaigners shall have access to rented premises, condominiums and co-operative housing units:

“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.” *Residential Tenancies Act, 2006, Section 28*

“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.” *Condominium Act, 1998, Section 118*

“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.” *Cooperative Corporations Act, 1990, Section 171.24*

If campaigners are experiencing difficulty in gaining access to any of the above premises, they should contact the administering body of the facilities. The Clerk is not responsible for

securing access to any buildings for the purpose of canvassing or distributing election material.

5.11.3 Questions Regarding Campaign Processes

Questions submitted by candidates to the Clerks Department will not be responded to individually, but will be responded to via the FAQ section for Candidates on the Township's website.

5.12 Use of Corporate Resources for Election Purposes

The Act establishes regulations governing campaign finance for candidates running in a municipal election. Section 88.8 (4) of *the Act* prohibits municipalities from making campaign contributions to municipal candidates.

The *Election Finance Act, 1990*, as amended, and the *Canada Elections Act, 2000*, as amended, establish regulations for candidates and parties running in provincial and federal elections. Section 29 (1) of the *Election Finance Act* and Section 363 (1) of the *Canada Elections Act* prohibit a municipal corporation from making campaign contributions to any candidate, political party or constituency association in a provincial or federal election.

The purpose of this policy is to ensure compliance with *the Act*, the *Election Finance Act* and the *Canada Elections Act*, by clarifying for candidates, current members of municipal Council and staff the legislative requirements relating to campaign finances.

The Township of Minden Hills has passed Policy #116 Use of Corporate Resources for Election Purposes. The purpose of this policy is to establish guidelines regarding the appropriate use of Corporate Resources during a municipal election period to protect the interest of both Council members, candidates, employees, registered third parties and the Township.

Township of Minden Hills facilities, services and property may not be used for any election related purposes except as identified in this policy.

This provision does not prevent members from conducting their regular duties as political representatives for their constituents.

5.13 Municipal Facilities and Property

The interior of any Township-owned or run facility for any election related purposes may not be used by any person(s) unless rented in accordance with standard Township of Minden Hills rental procedures. No campaign or campaign related activities may take place on any Township owned parkland or trails.

Notwithstanding the ability to use the interior of any Township-owned or run facilities for election related purposes, if rented in accordance with standard Township of Minden Hills rental procedures, no election related activities, including campaigning and the distribution of campaign literature, are permitted to take place inside the Municipal Office.

No person may campaign, distribute campaign literature, or engage in election related activities at any function hosted by the Township of Minden Hills.

Election signs, or other election material, may not be displayed in, or on the property of, any Township-owned or run facilities.

5.14 Technology

Township resources or services such as computers, cell phones, smart phones, telephones, tablets, printers, scanners, copiers, e-mail, file storage, voicemail, or any other equipment or technology owned by the Township of Minden Hills, may not be used for any election related purposes.

Websites and domains that are operated or funded by the Township shall not include any election related campaign materials or links to any sites which include election related campaign material.

5.15 Communications

The Township of Minden Hills logo, crest, coat of arms, flag, slogan, or other similarly branded corporate resources or property shall not be used by any candidate for any election related campaign materials, including printed literature, signage and websites.

In any material printed or distributed by the Township, candidates may not convey that they, or any other individual, are a candidate in an election.

5.16 Employees of the Corporation of the Township of Minden Hills

The following applies to all Township employees.

- Employees may not engage in election related activities during their normal working hours or anytime they are receiving remuneration from the Township. This includes providing administrative support to candidates such as photocopying campaign literature or providing technical assistance.
- Employees may engage in election related activities as long as those activities are separate from their official positions and duties. Employees must ensure that their political activities do not create a perceived or actual conflict of interest in their day-to-day work.
- While engaging in election related activities, Township employees shall not wear any clothing, such as a uniform or badge, which identifies them as a Township employee.
- While engaging in election related activities, Township employees shall not use any vehicles, technology, or other resources that are owned or leased by the Township of Minden Hills.

Any disregard of this prohibition will be acted upon by the Township and could result in legal action.

5.17 National Do Not Call List

The Canadian Radio-television and Telecommunications Commission (CRTC) has established a National Do Not Call List (DNCL). The following is an excerpt of the Telecom Regulatory Policy CRTC 2009-200:

“In addition to the exemption set out in section 3(d), the National DNCL Rules do not apply to telemarketing telecommunication made by or on behalf of a candidate as defined in subsection 2(1) of the Canada Elections Act or a candidate under provincial law for the

purposes of a provincial or municipal election, or by or on behalf of the official campaign of such a candidate”.

5.18 Candidates’ Election Campaign Advertisement

All candidate election campaign advertisements must be in compliance with *the Act* at all times. A candidate must have filed their nomination paper before spending any money, and the amount they may spend on their campaign is regulated.

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

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

5.19 Rental Housing and Condominium Corporations

Landlords and condominium corporations cannot prohibit their tenants from displaying campaign signs in their own unit. The condominium corporation or 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.

5.20 Financial Reporting Requirements

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 2022 Candidates’ Guide for Ontario Municipal and School Board Elections. This and other documentation can be found on the Ministry website at www.mah.gov.on.ca

5.21 Candidate Access Portal

After September 1, 2022, 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.

5.22 Scrutineer

Each Candidate may appoint, in writing on the prescribed form, a person(s) to act as a scrutineer to represent him or her during the election process, including attendance in the Voting Place on Voting Day.

The appointment shall be made using the Appointment of Scrutineer by Candidate form as signed by the candidate. A person appointed as a scrutineer prior to being admitted to observe these election processes shall produce and show their appointment form and valid acceptable identification. The scrutineer will be issued an identification badge, which must be returned to the Clerk before leaving. All scrutineers must take and subscribe to an Oath of Secrecy.

Scrutineers that have been appointed shall be entitled to be present at the time and place where results are received by the Clerk including signing the results report indicating the final unofficial results and votes cast.

Not more than one candidate or one scrutineer representing each candidate may be in the Voting Place at any time.

Scrutineers and Candidates are prohibited from the following:

- Attempting, directly or indirectly, to interfere with how an elector votes, and prohibited from attempting to campaign or persuade an elector to vote for a particular candidate;
- Displaying a candidate's election campaign material of any nature whatsoever in the Voting Place, including the parking lot;
- Compromising the secrecy of the voting;
- Interfering or attempt to interfere with an elector who is marking a ballot;
- Obtaining or attempt to obtain, in a Voting Place, any information about how an elector intends to vote or has voted;
- Communicating any information obtained at a Voting Place about how an elector intends to vote or has voted;
- Causing a disturbance in the Voting Place; and
- Using cellular phones, recording equipment or other mobile devices in the Voter Help and Revision Centre or Voting Place.

The Clerk is responsible for the conduct of the Election and no candidate or scrutineer has the right to interfere with an Election Official in the discharge of their duties.

Any candidate, scrutineer, third party advertiser, agent or voter who by their actions creates a disturbance or interferes in any way with the proper conduct at the Voting Place may be expelled from the 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.

Candidates and scrutineers wishing to observe the final count must be at the Voting Place prior to 8:00 p.m. on election night. No one will be admitted into the Voting Place after 8:00 p.m.

6.0 THIRD PARTY ADVERTISERS

Individuals, corporations and unions can register as third party advertisers and can also make contributions to third party advertisers. Third party advertisers are required to register with every municipality in which they wish to advertise.

Third party advertisers may register with the municipality from Monday, May 2, 2022 until Friday, October 21, 2022 at 4:30 p.m. Third party registrations will not be accepted after the deadline.

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).

No individual, corporation or trade union shall incur expenses for a third party advertisement unless the individual, corporation or trade union is registered with the municipality when the expenses are incurred and the advertisement appears.

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

6.1 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 register (May 1, 2022) as a third party advertiser in relation to the election, and ends at the close of voting on Voting Day.

Third Parties must do the following during the Restricted Period:

- file notice of registration and have it certified by the Clerk;
- once registered, advertise; and
- once registered, incur expenses related to the advertisement.

The expenses for these advertisements cannot exceed the amount calculated under Section 88.21 (registered third parties' expenses).

6.2 Mandatory Information in Third Party Advertisements

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

- The name of the registered third party advertiser; and
- The municipality where the third party advertiser is registered; and
- A telephone number, mailing address or email address at which the registered third party advertiser may be contacted regarding the advertisement.

6.3 Mandatory Information for Broadcaster

A registered third party advertiser shall not cause a third party advertisement to be broadcasted during the restricted period unless they provide the following information to the broadcaster or publisher in writing:

- The name of the registered third party advertiser; and
- The municipality where the third party advertiser is registered; and
- A telephone number, mailing address or email address at which the registered third party advertiser may be contacted regarding the advertisement.

6.4 Prohibition of 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 the paragraphs above have not been provided.

6.5 List of Registered Third Parties

A list of registered third parties shall be posted on the Township website and may also include the phone number and email address provided by the registered third party in the notice of registration filed.

7.0 CAMPAIGN EXPENSES AND CONTRIBUTIONS

7.1 Duties of Candidates and Third Party Advertisers

Candidates and third party advertisers should pay careful attention to campaign finance rules and may wish to seek professional advice.

The Act assigns several duties to candidates and registered third party advertisers respecting contributions, receipts, records, financial filings, return of contributions, anonymous donations and other matters. Candidates and third party advertisers should familiarize themselves with their duties and obtain professional assistance if required.

Contributions shall only be made by the following:

- An individual who is normally a resident in Ontario;
- The candidate and his or her spouse, subject to if the spouse of a candidate is not normally a resident in Ontario, a candidate and his or her spouse may make contributions only to the candidate's election campaign.

The following shall not make a contribution:

- 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*;
- A corporation that carries on business in Ontario;
- A trade union that holds bargaining rights for employees in Ontario;
- The Crown in right of Canada or Ontario, a municipality or local board.

7.2 Campaign Period

Contributions cannot be accepted outside the campaign period (beginning upon nomination or registration and ending January 3, 2023). A campaign period may be extended as set out in subsection 88.24(4) of *the Act*.

7.3 Maximum Campaign Expenses

Upon filing of nomination papers or registration, candidates and third party advertisers will receive an estimate of campaign spending limits using the number of electors for each respective office as it existed on nomination day of the previous election (July 27, 2018).

No later than September 26, 2022, the Clerk shall provide each candidate and third party advertiser, via registered mail, with a Certificate of Maximum Campaign Spending Limits that can be incurred using the number of electors for each respective office as it exists on September 15, 2022.

Both the Estimate and the Maximum shall be based on the following calculations:

Office	Maximum Campaign Expenses Spending Limits	Maximum Amount of Contributions Own Campaign	Maximum Amount of Expenses for Parties, etc.
Mayor	\$7,500 plus 85 cents for each elector entitled to vote for that office	\$7,500 plus 20 cents for each elector entitled to vote for that office (max. \$25,000)	10% of maximum amount of expenses
Deputy Mayor	\$5,000 plus 85 cents for each elector entitled to vote for that office	\$5,000 plus 20 cents for each elector entitled to vote for that office (max. \$25,000)	10% of maximum amount of expenses
Councillor	\$5,000 plus 85 cents for each elector entitled to vote for that office	\$5,000 plus 20 cents for each elector entitled to vote for that office (max. \$25,000)	10% of maximum amount of expenses
School Board Trustee	\$5,000 plus 85 cents for each elector entitled to vote for that office	\$5,000 plus 20 cents for each elector entitled to vote for that office (max. \$25,000)	10% of maximum amount of expenses
Third Party Advertiser	\$5,000 plus 5 cents for each elector entitled to vote	N/A	N/A

7.4 Contributions

Contributions include money and the fair market value of goods and services accepted for an election campaign, but do not include:

- voluntary labour,
- labour provided voluntarily from an employee acting under the direction of a candidate or third party advertiser without added compensation;
- \$25 or less donated or paid for goods or services at a fund-raiser;
- a loan from a bank or recognized lending institution; and
- no charge political advertising provided equally to all candidates for an office in accordance with the Broadcasting Act (Canada).

The table below describes who may make campaign contributions:

Who may contribute:	Candidate	Third Party Advertiser
Individuals residing in Ontario	Yes	Yes
The spouse of a candidate or an individual who is a third party advertiser	Yes	Yes
A Corporation or Trade Union	No	Yes
A Federal or Provincial political party or the Government of Canada or Ontario	No	
A municipal government or local board		

Contributions up to \$25 may be made in cash. Contributions more than \$25 must be contributed by a money order signed by the contributor or in a way that associates the contributor’s name and account with the payment. No one may contribute more than:

- \$1,200 to one candidate or third party advertiser, other than the candidate, the third party advertiser or their spouse, or
- a total of \$5,000 to two or more candidates or third party advertisers nominated or registered in the Township.

Candidates and third party advertisers shall not take contributions more than the amount set out in the Certificate of Maximum Campaign Amount.

The Township of Minden Hills does not issue contribution rebates.

7.5 Filing Requirements and Notice

The Clerk shall provide notice of the filing requirements at least 30 days before the filing date.

All candidates and third party advertisers are required to file a financial statement using the prescribed form. Electronic submissions will not be accepted. A Notice of Default will be given to any candidate or third party advertiser if the Financial Statement is not submitted by the deadline.

The financial statements shall be available for viewing by the public on the Township website.

7.6 Financial Statements

By 2:00 p.m., March 31, 2023, all candidates and third party advertisers are required to file a financial statement with the Clerk using the prescribed form. Electronic submissions will not be accepted.

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

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.

In accordance with *the Act*, 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.

The Clerk shall make available all Candidate Financial Statements, for public review, upon filing with the Clerk and all Financial Statements will be posted on the Township website as soon as possible after March 31, 2023.

7.7 Notice of Default

A Notice of Default shall be given to the candidate by registered mail, and if the candidate was elected, to the relevant council or local board, in the event that a candidate has not submitted the Financial Statement – Auditor's Report on or before 2:00 pm on March 31, 2023.

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

As soon as possible after May 2, 2023 the Clerk shall make available to the public on the Township website a report setting out all candidates in an election and indicating whether each candidate complied with section 88.25 (Candidates' Financial Statements, etc.).

8.0 ELECTION SIGNS

By-law No. 18-54 provides for the regulation of election signs in municipal, provincial and federal elections. Candidates, third party advertisers and electors should review the By-law to ensure compliance.

If in contravention with the by-law, the sign will be removed to a Municipal facility/building where it can be retrieved by the owner or organization.

9.0 VOTING OPPORTUNITIES & LOCATIONS

9.1 Voter Help & Revision Centre

Eligible Electors may attend the Voter Help and Revision Centre in order to make additions, deletions and corrections to the Preliminary List of Electors/Voters' List by filling out an application to amend the Voters' List and provide satisfactory identification.

Eligible electors added to the Voters' List will be assigned and receive (or mailed) a Voter Information Letter containing a (PIN) and will be able to vote at the Voter Help and Revision Centre, by Internet only, if they so wish during the voting period.

The Voter Help and Revision Centre will also assist electors with the Internet Voting process, and other general election inquiries and will be supplied with an internet connection to accommodate voting during the voting period.

Where a person on the Voters' List has lost his or her Voter Information Letter or did not receive it in the mail, or does not have access to it, he or she can attend the Voter Help and Revision Centre in order to receive a new one. The authorized election official will disable the voter's lost Personal Identification Number (PIN) and electronically mark it in the system with the appropriate details.

Upon providing satisfactory identification to an election official, and completion of an Application for Re-Issue of a Voter Information Letter (Lost and Unused), if required by the Clerk, which includes an Oath be taken by the voter, a new Voter Information Letter containing a new Personal Identification Number (PIN) shall be issued. New Voter Information letters may also be issued over the telephone subject to the elector completing the verbal authentication process issued by the Clerk, or designate. Once the Clerk, or designated has approved the issuance of the new or replacement Voter Information letter it will be mailed to the elector or available for pick-up at the Township Administration office, Help or Revision Centre or Voting location.

Voter Help and Revision Centre Location and Hours of Operations

DAY	DATE	TIMES	LOCATIONS
Monday - Friday	Sept. 1, - Oct. 21, 2022	8:30am to 4:30pm	Municipal Administration Office – 7 Milne Street, Minden
Saturday	Sept. 10, 2022	11:00am to 2:00pm	Council Chambers - Municipal Administration Office – 7 Milne Street, Minden
Saturday	Sept. 17, 2022	11:00am to 2:00pm	Council Chambers - Municipal Administration Office – 7 Milne Street, Minden

Saturday	Sept. 24, 2022	11:00am to 2:00pm	Council Chambers - Municipal Administration Office – 7 Milne Street, Minden
Saturday	October 8, 2022	10:00am to 6:00pm	Community Centre, 55 Parkside Street, Minden
Monday	October 24, 2022	10:00am to 8:00pm	Community Centre, 55 Parkside Street, Minden

9.2 Advance Vote

To provide greater convenience and accessibility for our electors, we have scheduled Advance Voting.

Saturday, October 8, 2022 – 10:00 a.m. to 6:00 p.m. at the S.G. Nesbitt Community Centre, 55 Parkside Street, Minden Hills.

9.3 Special Voting Places

The following Special Voting Places are designated only for the use of eligible electors who are residents of these institutions. Only paper ballot voting will occur at this location.

DAY	DATE	TIMES	LOCATIONS
Monday	October 24, 2022	10:00 a.m. to 12:00 pm	Hyland Crest Long Term Care Facility

9.4 Voting Day

Monday, October 24, 2022 – 10:00 a.m. to 8:00 p.m. at the S.G. Nesbitt Community Centre, 55 Parkside Street, Minden Hills.

10.0 PROXY VOTING

Subsection 42(5) states that when a by-law authorizing the use of an alternative voting method is in effect, Sections 44 (voting proxies) apply only if the by-law so specifies. The use of the alternative voting, being Telephone/Internet Voting was to eliminate proxies, By-law Number 21-72 of The Township of Minden Hills is silent on these issues, it is therefore not applicable.

11.0 APPOINTMENT OF ELECTION PERSONNEL

The Clerk shall appoint, in writing, a Deputy Returning Officer (DRO) for each Voting Place and such other Election Officials as required to assist in the administration, management, security and control of the conduct of the election event.

The Clerk will determine the number of Election Officials and their duties and responsibilities. The number of Election Officials may vary by Voting Place.

Written appointments and delegation of duties of Election Officials shall include the authority to require any person to furnish proof of identity or qualifications pursuant to *the Act*.

12.0 ADVERTISEMENTS & NOTICES

As deemed appropriate by the Clerk, all advertisements and notices shall be published in the local newspaper(s), on the Municipality’s website and select Township social media accounts.

The following advertisements and notices shall be issued:

- a) Notice to electors advising of method of voting.
- b) Notice of Revision of Voters List.
- c) Notice of Nomination period.
- d) Notice to electors of by-law(s) or question(s) to be included on the ballot (if applicable).
- e) Notice of voting opportunities and locations.
- f) Certified Election Results.

The Clerk reserves the right to publish additional advertisements and notices as deemed appropriate.

Where possible, cooperative advertising may take place and the costs to be approved and shared by the participating municipalities. The Township of Minden Hills may 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 the Township of Minden Hills’ Election Procedures.

Each person on the voters’ list shall be mailed, by “first-class” mail a sealed Voter Information Letter containing:

- a) his or her Personal Identification Number (PIN), the telephone number(s) to call to cast a vote, and the designated internet address (URL) to access to cast a vote using the internet;
- b) instructions on how to vote;
- c) dates and hours of voting; and
- d) the location(s) and telephone number(s) of the Voter Help Centre(s).

13.0 VOTERS LIST

The Municipal Property Assessment Corporation (MPAC) is responsible for supplying the Township of Minden Hills with the Voters List for municipal elections.

All deletions, amendments and additions to the Voters List shall be maintained electronically. Additionally, electors casting their ballot during the Advance Voting period will be marked on the Voters' List as having voted.

The Voters List, showing the names of all persons entitled to vote in the October 24, 2022 Municipal Election in the Township of Minden Hills, will be available for supervised public inspection commencing Thursday, September 1, 2022 at the Municipal Office.

The legislation states that the Voters' List cannot be posted in a public place and can be used only for election purposes.

Due to MFIPPA, details about another person shall not be provided, including whether or not the individual is on the Voters' List.

Electors may verify on-line that their name is on the Voters List. This on-line service can be accessed on the Townships website.

If an individual qualifies as an elector, and their name is absent from the Voters List or the information is incorrectly shown, they must file an Application to Amend the Voters List during the period commencing Thursday, September 1, 2022 up to, and including, Voting Day during regular business hours, Monday through Friday, 8:30 AM to 4:30 PM, or electronically submitted to the Clerk along with any combination of Identification that shows name and qualifying address, or on Voting Day at the Voting Place during voting hours.

Applications to remove another person's name from the Voters List may commence upon the Voters List becoming official in September 2022 through to and including Voting Day. An application must be made in writing on the Application to Amend the Voters List form and presented to the Clerk.

13.1 Voter associated with Multiple Properties

Where a voter is associated with multiple properties within The Township of Minden Hills, the voter may vote **only once**, and the qualifying address to determine eligibility for voting shall be the **place of residence of the voter**.

All duplication of names on the Preliminary List of Electors shall be verified by the Clerk and/or election official(s), and all duplicate names of individuals shall be deleted, to the best of the Clerk, or designates, ability prior to the final preparation of the voters' list.

Should a voter receive more than one Voter Information Letter, the voter may only **vote once** and must return the other document(s) to the Municipal Administration Office. All voters that vote more than once or who improperly use the Voter Information Letter shall be reported to the Ontario Provincial Police for further investigation as to possible corrupt practices under the *Municipal Elections Act, 1996*.

13.2 Candidates Access to the Voters List

Upon written request, but not until September 1, 2022 the Clerk shall give every candidate a copy, or access through the Candidates Portal, of the part of the Voters' List that contains

the names of the electors who are entitled to vote for that office. For example, if a candidate is running in Ward 2, they only receive the part of the Voters' List pertaining to Ward 2, not the entire Voters' List. Each candidate will be required to sign the Candidates Declaration - Proper Use of the Voters' List.

Scytl Canada Inc. will make available online a list to the Clerk and any other appropriate individuals of The Township of Minden Hills, of all individuals, by order wards, who voted during the voting period if such an event has taken place. The names of individuals who have voted will be marked as voted.

This list shall be provided by Scytl Canada Inc. in real time or as closely as possible to real time.

If so allowed by the Clerk and/or Scytl Canada Inc., during the course of the election, IDs and passwords for candidates, that have signed the Declaration of Proper Use of the Voters' List and their scrutineers, can connect to a Candidate module to review the Voter's List. This capability does not provide the candidate information on how a voter has voted, only if they have voted in the election. Candidates may view this information any time throughout the voting period.

13.3 Adding Residents of Hyland crest Retirement Home to the Voters' List

The Clerk or Deputy Clerk will contact the Administrator of Hyland Crest Retirement Home which is to be a Voting Place under s.45 (7) of the Municipal Elections Act, 1996 and will request a current list of the residents of the Home in a manner agreed to by the Clerk or Deputy Clerk and the Administrator.

This list will be considered proof of identification under O. Reg. 304/13. The names on this list will be added to the Voters' List. The list will serve also as a request to remove residents who are no longer at this address from the list under the Municipal Elections Act, 1996. S.23 and s. 25.

If a person does not readily have identification available, as described in O. Reg. 304/13, because he or she is a resident of Hyland Crest Retirement Home then the document issued by the Administrator, or administrator's designate, confirming his or her identity is sufficient proof of identification for the purpose of adding the individual to the voters' list.

13.4 Removal of Deceased Person's Name

The Clerk may remove a person's name from the Voters' List up to 8:00 p.m. on October 24, 2022 if the Clerk is satisfied the person is deceased.

A person may make an application requesting that a deceased person's name be removed from the Voters' List by using the form "Application for Removal of Deceased Person's Name from the Voters List" and providing proof of identity and residence as prescribed in O. Reg. 304/13 between the 1st day of September, 2022 to the 24th day of October, 2022 during normal hours and on the 24 day of October, 2022 until 8:00 p.m.

13.5 Interim List of Changes

The Clerk shall, during the period beginning on September 15th and ending on September 26th in the year of a regular election, distribute an Interim List of Changes to the Voters' List.

The Clerk and/or ScytI Canada Inc. shall produce an electronic list of the additions, corrections and deletions and make available online, or paper copy, of these additions, corrections and deletions to those who are entitled to copies of the Voters' List under the Act. This list, as required under Section 27 of the Municipal Elections Act, shall be available on September 15, 2022.

The Voters' List, as corrected by the Clerk shall be provided to ScytI Canada Inc. in computer format in order for ScytI Canada Inc. to manage the Voter Information Letter.

14.0 SECURITY OF ELECTION PROCESS & RECORDS

14.1 Secrecy

The Clerk shall require all election official(s) and/or other persons working in connection with the municipal elections to swear or affirm an oath of secrecy in accordance with Section 49 of the *Municipal Elections Act, 1996*.

No person shall interfere or attempt to interfere with an elector while in the process of accessing the Internet or paper ballot voting service or interfere or attempt to interfere in the voting process while using the Internet Voting or paper ballot voting service.

No person shall obtain or attempt to obtain information about how an elector intends to vote or has voted.

No person shall communicate any information that might have been inadvertently obtained about how an elector intends to vote or has voted.

No elector shall reveal how he or she intends to vote except when obtaining assistance in voting from either a support person or an election official.

No elector shall:

- (a) take a photograph or video recording of his or her marked ballot; or
- (b) show his or her marked ballot to any person so as to reveal how he or she has voted, except in connection with obtaining assistance in voting under paragraph 4 of subsection 52 (1).

All electors voting at the Help and Revision Centre may vote with the assistance of a support person; however, the support person shall be required to take the appropriate oath prior to providing assistance. Any individual requested by an elector to assist him or her in voting is required to maintain the secrecy of the vote(s) cast by the elector and shall vote according to the instructions and wishes of the elector.

All complaints regarding any and/or all breaches of secrecy shall be investigated by the proper authorities and shall be prosecuted according to the provisions of “Corrupt Practices and Other Offences - Penalties and Enforcement” under Sections 89 and 90 of the *Municipal Elections Act, 1996*.

14.2 Security of the ballot prior to Voting

Ballots will be printed to the specifications and under the supervision of the Clerk.

Upon receipt, ballots will be securely stored in a designated location with restricted access.

14.3 Security of the Ballot after the Vote

Ballots for use at the Advance Voting Places will be issued to the Election Official in the morning of the opening of the Advance Voting Place.

At the close of the Advance Vote day, the Deputy Returning Officer shall return the Advance Vote ballot box, unused ballots, and all other election materials to the Municipal Office to be securely stored under the control of the Clerk for the statutory retention period.

At the close of Voting Day, following the posting of election results the Deputy Returning Officer shall return ballot boxes, unused ballots, and all other election materials to the Municipal Office to be securely stored under the control of the Clerk for the statutory retention period.

14.4 Security of Voter Information Letters

Should a Voter Information Letter be returned to the Municipal Administration Office unopened, the PIN status will be disabled by an election official in a manner that prevents the PIN from being successfully validated in the voting process. The Voter Information Letters will then be marked “unused” and be retained in a secure means and subsequently destroyed at the same time as all other Municipal Election material as provided for under Section 88(2) of the Municipal Elections Act, 1996.

Should a Voter Information Letter be returned to the Municipal Administration Office that has been opened but has not been used for voting purposes, the PIN status will be disabled by an election official in a manner that prevents the PIN from being successfully validated in the voting process. In this circumstance, the Voter Information Letter shall be marked unused and be retained and destroyed at the same time as all other Municipal Election material as provided for under Section 88(2) of the Municipal Elections Act, 1996.

The Clerk and the election official(s) shall ensure a complete audit trail is maintained of all Voter Information Letters:

- a. that were sent to voters on the Voters’ List;
- b. that were undeliverable and returned from the Post Office;
- c. that were returned by a voter or other individual(s) either opened or unopened but unused for voting purposes;
- d. that were re-issued to an eligible elector;
- e. whose PIN on the Letters were set to a status that prevented them from being validated in the voting process.

Where an eligible voter has attempted to validate his or her PIN and they have determined that the PIN has already been used, the voter can attend the location determined by the Clerk, bringing satisfactory identification and have an election official confirm that the PIN has been used. Prior to authorizing the re-issuance of a new Voter Information Letter which contains a new PIN, the voter shall be required to respond and answer any and all questions from the election official and complete and sign an Application for Re-Issue of a Voter’s Information Letter (Used by an Impersonator).

The election official shall document, to his or her satisfaction questions and answers of the voter and, if deemed appropriate, the Clerk shall submit same to the Ontario Provincial Police for further investigation and prosecution.

If the election official believes that all questions have been answered truthfully and to his or her satisfaction, the election official may authorize the provision of a new Voter Information Letter which contains a new PIN. A copy of the signed Application for Re-Issue of a Voter’s Information Letter (Used by an Impersonator) shall also be submitted to the Ontario Provincial Police should further questioning be required in order to ascertain if corrupt

practices have occurred. The elector will be required to assist and cooperate in the investigation in determining the individual(s) who has fraudulently used the voter's assigned PIN.

14.5 Auditor

The Auditor, appointed by the Clerk, shall test the Telephone/Internet voting system on several occasions. The test(s) shall include, but not be limited to the following:

- a) checking the wording of the script;
- b) checking the Help Centre telephones and internet access;
- c) checking Script and input timing;
- d) attempting to use a PIN more than once;
- e) balancing a predetermined number of votes with those cast;
- f) matching PINs to names and addresses;
- g) checking the system which is used for activating PINs through the revision process and deliberately entering the wrong information.

14.6 System Integrity

The integrity of the voting process shall be the responsibility of the Clerk of The Township of Minden Hills and shall be preserved by:

- ensuring that every eligible elector on the Voters' List is mailed, using first class mail or hand-delivered as required, a sealed Voter Information Letter which contains the voter's unique PIN;
- ensuring that no one except ScytI Canada Inc., the Clerk of The Township of Minden Hills, or designate, maintains a list of Personal Identification Numbers that matches each voter's name and address; and
- providing an opportunity for eligible electors who do not appear on the Voters' List to be added to the list, or to make amendments to the list, up to and including Election Day, October 24, 2022, at 8:00 p.m.

The voting system shall be tested on several occasions. The test(s) shall include, but not be limited to the following:

- checking the wording of the script;
- checking the Voter Help Centre telephones and internet access;
- checking Script and input timing;
- attempting to use a PIN more than once;

- balancing a predetermined number of votes with those cast;
- matching PINs to names and addresses;
- checking the system which is used for activating PINs; and
- deliberately entering the wrong information.

14.7 Corrupt Election Practices – Provincial Offence and Prosecution

Sections 89 and 90 of the Municipal Elections Act provides for penalties and enforcement of corrupt practices and other offences during an election process.

Although The Township of Minden Hills will be using an alternative voting method, being Telephone/Internet Voting, in conjunction with Paper Ballot the principles and the integrity of the election process will remain and is enforceable.

Section 89 of the Municipal Elections Act continues by stating:

“A person is guilty of an offence and liable, on conviction, to a fine of not more than \$5,000, if he or she

- a) votes without being entitled to do so;
- b) votes more times than this Act allows;
- c) votes in a voting place in which he or she is not entitled to vote;
- d) induces or procures a person to vote when that person is not entitled to do so;
- e) having appointed a voting proxy that remains in force, votes otherwise than by the proxy;
- f) having been appointed a voting proxy, votes under the authority of the proxy when the elector has cancelled the proxy, is no longer entitled to vote or has died;
- g) before or during an election, publishes a false statement of a candidates withdrawal;
- h) furnishes false or misleading information to a person whom this Act authorizes to obtain information;
- i) without authority, supplies a ballot to anyone;
- j) delivers to the deputy returning officer to be placed in a ballot box a paper other than the ballot the deputy returning officer gave him or her;
- k) takes a ballot away from the voting place;
- l) at an election, takes, opens or otherwise deals with a ballot, a ballot box, or a book or package of ballots without having authority to do so;
- m) attempts to do something described in clauses (a) to (l). 1996, c. 32, Sched., s. 89.”

No person(s) shall solicit a Voter Information Letter from an eligible elector. All valid complaints or knowledge of solicitation shall be reported immediately to the Ontario Provincial Police for investigation of corrupt practices.

In addition, under the provisions of Section 90 of the Municipal Elections Act, if a person is convicted of an offence and the offence was committed knowingly, the offence also constitutes a corrupt practice.

Although many provisions of the Municipal Elections Act also deal with voting places, ballots and ballot boxes, etc. the same must be used interchangeably with the “alternative form” of voting since the principle of the Act must be maintained and is therefore enforceable and subject to penalties.

As such, the Municipal Clerk of The Township of Minden Hills in this alternative form of voting, has agreed to the following rules and regulations:

- a) That all complaints about actions which may contravene the provisions of the Municipal Elections Act, either verbally or written, will be investigated by the Clerk;
- b) That all such valid complaints, once investigated to the extent and knowledge of the Clerk, will be submitted to the local detachment of the Ontario Provincial Police;
- c) The Detachment Commander of the Ontario Provincial Police has been advised that all such complaints will be turned over to his or her office for further investigation;
- d) The Detachment Commander of the Ontario Provincial Police, once the investigation is completed will communicate with the Crown Attorney’s Office to determine if an individual(s) will be prosecuted.
- e) The Clerk or any election official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.

14.8 Mail Tampering – Criminal Offence and Prosecution

The Criminal Code of Canada states that tampering with the mail of an individual is a criminal offence and a person(s) found guilty is liable to a term of imprisonment not exceeding ten (10) years.

Since the Township of Minden Hills will be using an alternative voting method, that being Telephone/Internet Voting, and the notification of the voting process and how electors can access the voting system in order to exercise their right to vote will be completed through the mail, mail tampering is a criminal offence under the Criminal Code of Canada.

As such and in order to ensure the integrity and confidence of the voting process for all electors and the candidates, the Municipal Clerk of The Township of Minden Hills in this alternative form of voting has agreed to the following rules and regulations:

- a) That all complaints about actions which may contravene the provisions of the Criminal Code of Canada with respect to mail tampering, either verbally or written, will be investigated by the Clerk;

- b) That all such valid complaints, once investigated to the extent and knowledge of the Clerk, will be submitted to the local detachment of the Ontario Provincial Police;
- c) That the Detachment Commander of the Ontario Provincial Police has been advised that all such complaints will be turned over to his or her office for further investigation;
- d) That the Detachment Commander of the Ontario Provincial Police, once the investigation is completed, will communicate with the Crown Attorney's Office to determine if an individual(s) will be prosecuted.
- e) The Clerk or any election official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.

15.0 DISPOSITION OF ELECTION RECORDS

On or after the 121st day of declaring of the results, the Clerk shall effect the destruction of the ballots in the presence of two witnesses and may also destroy any other records related to the 2022 Municipal Elections.

Notwithstanding the previous paragraph,

- If a recount has been initiated, the records must be retained until the disposition of the recount.
- Records shall not be destroyed if a court orders that they are to be retained.
- Nomination papers and Financial Statements filed by any Candidate shall be retained until the members of the Council or local board elected in the next regular election take office (i.e. after November 15, 2022).

16.0 ANNOUNCEMENT OF RESULTS

Votes will be compiled at the final close of voting on Voting Day by balancing and verifying the totals reported for the Telephone/Internet/Paper Ballot voting.

The Clerk shall review, validate and publish the “unofficial” vote to the Municipal website and, on election night, display the “unofficial” vote results in the Council Chamber at the Municipal Administration Office, 7 Milne Street, Minden Hills,

The Clerk shall, as soon as possible after Voting Day, declare the certified results of the vote and post on the Township’s website.

17.0 PROCEDURE FOR INTERNET/TELEPHONE VOTING

The service provider for internet/telephone voting is ScytI Canada Inc.

eVoting will commence on Saturday October 8, 2022 at 8:00 a.m. and conclude on Monday, October 24, 2022 at 8:00 p.m.

17.1 Confirm Zero Ballots Cast Report Prior to Opening

Prior to the activation of the system by ScytI Canada Inc. on Saturday, October 8, 2022, the auditor, or other authorized election official, will generate the confirmation report that contains all candidate names running for an office. The report displays in real time the sum total of votes cast for each candidate running for an office. The timing of this report activity ensures that all totals for all candidates, confirms zero (0) votes before the electronic election begins.

The eVote will not be activated unless all of the counts associated with the candidate names indicate a zero total, and unless directed otherwise by an election official.

17.2 Casting an Electronic/Telephone Ballot

Every eligible elector shall be limited to only one vote through the use of a PIN, distributed by first class mail in a sealed and personalized Voter Information Letter (VIL), and their date of birth.

ScytI Canada Inc., will allow the eligible voter to vote using a telephone or the internet.

Eligible voters may vote by:

- Telephone, by accessing a designated telephone number provided by using a touch-tone telephone (not a rotary dial telephone) to cast their vote. “Digi-pulse” telephones will be able to access the system if the telephone over-ride button is set to a “touch-tone” mode. Should the preceding not be done correctly, the interactive response system will provide an error message requesting that the eligible elector obtain assistance from the Voter Help Centre; OR
- By accessing the internet address provided by using a dial modem access or a high-speed connection to cast their vote.

Following the voter’s selection, the voting system response shall identify the voter’s choice and provide the voter with the option of changing or confirming their vote.

The voting system shall enable the voter to decline from voting for an office(s) if he/she wishes to do so.

Once the PIN has been used to complete all assigned races associated with the election it cannot be used again, and further access shall not be granted to the Telephone/Internet Voting service to vote again.

17.3 Voter has received an incorrect Voter Identification Letter (VIL)

Where an eligible voter has received an incorrect Voter PIN in terms of ward and/or school support association, the voter can contact a Voter Help Centre(s) and have the proper

information applied to the existing PIN. The voter may re-access the system and vote all races not yet completed.

The eligible voter shall be able to re-enter the system at any time during the voting period using the existing PIN or the re-categorized PIN until voting for all races has been completed.

New PIN(s) shall not be given out over the telephone or by mail without the expressed approval of the Clerk or their designate. A Voter Information Letter containing a PIN shall not be given to any person at the Voter Help Centre(s) unless satisfactory identification is provided and the individual has taken the required oath, if required, as administered by an election official.

Any elector who does not have their date of birth on file will receive a warning message on the Voter Information Letter advising them to call the Township to get their date of birth updated. Electors will be asked to provide identification confirming their date of birth if they wish to vote electronically.

18.0 PROCEDURE FOR VOTING PLACE

Traditional Paper Ballot Voting will be available at the S.G. Nesbitt Community Centre, 55 Parkside St Minden ON, on the following dates and times:

Advance Voting Day	Saturday, October 8, 2022 10:00 a.m. to 6:00 p.m.
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Voting Day	Monday, October 24, 2022 10:00 a.m. to 8:00 p.m.
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18.1 Responsibilities

The Voting Place will be operated by the following Election Officials:

- Clerk/Returning Officer
- Assistant Returning Officer
- Deputy Returning Officer
- Constable
- Election Assistants
- Other Election Officials as deemed required and appointed by the Clerk/Returning Officer

The DRO shall have the following equipment/supplies at the voting place:

- Ballot box;
- Ballots;
- Voters' List
- Voting Privacy Screens
- Policies & Procedures
- Required Forms as issued by the Clerk
- Any other materials issued by the Clerk

It is the responsibility of the DRO to ensure the smooth operation of the Voting Place. If, in the DRO's opinion, individuals present at the Voting Place are interfering with this process, the DRO should report the problem to the Clerk and/or the Constable.

The DRO is responsible for setting up the Voting Place which Includes:

- Placing the voting screens in a location that allows for privacy;
- Ensure there is no campaign material, literature or signage in the Voting Place;

- Arrange the working space in an orderly and easy to use fashion
- Log in to the computer to be used for management of the Voters' List.

18.2 Prior to Opening

Immediately before opening the Voting Place, the DRO must show the Ballot Box to anyone present in the Voting Place to demonstrate that it is empty and then seal it in such a way that it cannot be opened without breaking the Seal.

At the Voting Place, prior to the beginning of the election, Candidates or Scrutineers who are present have the opportunity to inspect the Ballots (without touching the Ballots) and all other materials relating to the Voting Place. This must be done during the fifteen minute period prior to the opening of the Voting Place, provided this does not interfere with the opening of the Voting Place.

At 10:00 **a.m.** on Voting Day, the doors to the Voting Place shall be opened.

18.3 Presenting the Ballot

As each voter arrives at the Ballot issuing table, the DRO shall accept the VIL and verify that the name of the person is entered on the Voters' List with assigned PIN. The DRO shall disable the PIN and issue a paper Ballot to the voter upon verification and de-activation of the PIN.

Prior to issuing a ballot, the DRO shall ask each voter "Have you already voted in this election?" If the answer is no, the Election Official shall at the same time as the ballot is delivered to each voter briefly explain the voting procedure.

18.4 Voter does not have a Voter Identification Letter (VIL)

In the event a voter does not have a VIL with a PIN and their names does not appear on the Voters' List, the DRO shall direct the voter to an Election Assistant located in the Revision Centre area to determine eligibility as a voter.

The Election Assistant shall, upon establishing the voter's eligibility in accordance with the provisions of the Municipal Elections Act, 1996 and upon the voter providing satisfactory identification, electronically add the person to the Voters' List and assign a PIN.

18.5 Marking the Ballot

1. Upon receiving the ballot, the voter shall:
 - a. immediately proceed to the voting compartment; and
 - b. using the Ballot-Marking Pen provided, vote by marking the space to the right of the candidate(s) of their choice.

Normally, only one person is permitted in a voting compartment at any time.

2. After marking the ballot in the voting compartment, the voter shall,
 - a. leave the Ballot-Marking Pen in the voting compartment;
 - b. depart the voting compartment without delay; and

- c. deliver the ballot to the Poll Clerk for the voting place, folded as distributed.
- d. the Poll Clerk will ensure that the initials of the DRO are on the back of the Ballot and insert the Ballot into the ballot box in view of the voter.

A person who's Ballot has been placed in the Ballot box is deemed to have voted.

18.6 Procedure for Closing the Voting Place During Advance Voting

The procedure for closing the Voting Place for an Advance Vote will be as follows;

- a) Seal the Ballot box to ensure the box cannot be re-opened without breaking the seal and to cover the ballot box slot. The DRO will initial the seal.
- b) The DRO shall return the Voting Supply Kit to the Clerk containing supplies and forms, which will be used on Voting Day to perform the count.
- c) The sealed Ballot box for the Advanced Vote shall be returned to the Clerk. The Ballot box(es) shall not be opened until 8:00 p.m. on Voting Day. The Clerk will ensure the safe storage of the Ballot box(es) until 8:00 p.m. on Voting Day.
- d) The Ballots will be counted on Voting Day, after the close of the Voting Place (S. G. Nesbitt Community Centre) by the DROs and Poll Clerks appointed by the Clerk.

Ballot tabulation cannot be conducted until 8:00 PM on Voting Day, October 24, 2022.

18.7 Procedures for Closing the Voting Place for Hyland Crest Voting Place on Voting Day

- a) Seal the Ballot box to ensure the box cannot be re-opened without breaking the seal and to cover the ballot box slot. The DRO will initial the seal.
- b) The DRO shall return the Voting Supply Kit to the Clerk containing supplies and forms, which will be used to perform the count.
- c) The sealed Ballot box shall be returned to the Clerk. The Ballot box(es) shall not be opened until 8:00 p.m. on Voting Day. The Clerk will ensure the safe storage of the Ballot box(es) until 8:00 p.m. on Voting Day.
- d) The Ballots will be counted on Voting Day, after the close of the Voting Place (S. G. Nesbitt Community Centre) by the DROs and Poll Clerks appointed by the Clerk.

Assistance will be provided to residents of Hyland Crest Long Term Care Facility on Monday, October 24, 2022 for a period of two hours, from 10:00 a.m. to 12:00 noon, however, **only paper ballot voting** will occur at that time.

18.8 Procedure for Closing the Voting Place on Voting Day

The procedure for closing the Voting Place on Voting Day will be as follows:

- a) The doors to the Voting Place shall be locked at 8:00 p.m. All eligible voters present in the Voting Place at 8:00 p.m. will be given the opportunity to vote;
- b) Seal the Ballot box to ensure the box cannot be re-opened without breaking the seal and to cover the ballot slot;
- c) DRO's and Poll Clerk's shall move to the vote counting area with their ballot boxes

d) Prepare to count the Ballots

18.9 Tabulation and Reporting of Results – Paper Ballot Voting

The doors to the Voting Place shall be locked at 8:00 p.m. All eligible voters present in the Voting Place at 8:00 p.m. will be given the opportunity to vote;

With regards to the paper ballot voting;

- a vote shall be defined as a mark made within the circle to the right of the name of the candidate whom the elector intends to vote. Any mark which is clearly indicated to be within the circle will be allowed and counted.

The DRO shall:

- Decide all objections
- Prepare a list in which the objections are summarized and individually numbered. The summary should include the statement “objected to by” (the candidate’s name or the candidate’s scrutineer)
- Write the number of each objection on the back of the relevant ballot and initial the number
- Count the ballots as required by Regulations and make decisions related to the ballots as noted above. This does not preclude the appointment of more than one DRO for the Voting Place.

When counting ballots, the DRO must reject all ballots where:

- The ballot was not supplied by the DRO
- The ballot is marked, torn, defaced or otherwise dealt with in such a way that the Elector can be identified
- More candidates have been voted for than the number to be elected to that office
- The vote is not marked within the circular space to the right of the name of the candidate. Any mark which is clearly intended to be within the circular space should be allowed and counted.

As soon as possible after counting the paper ballot votes, the DRO shall:

- Prepare a statement supplied by the Clerk/Returning Officer, in duplicate, showing the results of the election at the Voting Place,
- Place the rejected ballots in separate sealed envelopes provided by the Clerk/Returning Officer,
- Place the envelopes and all other materials and documents related to the election, except the original DRO statement of results, in the ballot box,
- Seal the ballot box and initial
- Deliver the ballot box and original statement of results to the Clerk/Returning Officer

- DRO shall not give a copy of the statement of results to anyone but the Clerk/Returning Officer or his/her designate. Scrutineers or candidates receive the statement of results from the Clerk/Returning Officer or designate upon request.

The paper ballots cast at the Advance Vote, Hyland Crest Long Term Health Facility and votes cast on Election Day shall be counted by DROs and Poll Clerks appointed by the Clerk.

18.10 Tabulation and Reporting of Results – Telephone/Internet Voting

The Township of Minden Hills shall keep its public internet and telephone voting open until Monday, October 24, 2022 at 8:00 p.m. and until the DRO confirms that all eligible voters in the Voting Place using internet voting method, have completed voting.

The Clerk of The Township of Minden Hills, providing that all eligible electors within the Voting Place and Voter Help Centre have voted, shall request the close and deactivation of the Telephone/Internet Voting service and shall also request the tabulation of the results for each candidate.

18.11 Reporting of the Results

The Clerk will balance and verify the totals reported for the Telephone/Internet/Paper Ballot voting and sign the “Unofficial Election Results Spreadsheet.”

The Clerk shall report the “unofficial” results, when received from ScytI Canada Inc. along with the results received from the Voting Place (S. G. Nesbitt Community Centre) for the composite paper Ballots, via telephone, as soon as practicable after the close of the Election, to the Election Headquarters located at the Municipal Administration Office Council Chambers located at 7 Milne Street, Minden, ON.

The “Official Results” of each candidate shall be available as soon as possible after Voting Day and posted at the Municipal Administration Office and posted on the Township’s website.

19.0 RECOUNTS

19.1 Reasons for Recount

A recount shall be conducted if one or more of the following occur:

- Two or more candidates receive the same number of votes and cannot both or all be declared elected to the office;
- The votes for the affirmative and negative on a by-law are equal;
- If the votes are for two or more answers to a question, the votes are equal;
- Within 30 days after declaring the results, Minden Hills Council passes a resolution requiring a recount of the votes cast,
 - For all or specified candidates for an office on the Council
 - For all or specified answers to a question submitted by the Council
 - For all or specified by-laws submitted by the Council.
- Within 30 days after declaring the results, a local board passes a resolution requiring a recount of the votes cast,
 - For all or specified candidates for an office on the local board, or
 - For all or specified answers to a question submitted by the local board.
- Within 30 days after declaring the results, the Minister makes an order requiring a recount of the votes cast for all or specified answers to a question submitted by him or her.
- An order is received from the Superior Court of Justice to conduct a recount.
- If Council passes a by-law prior to May 1st of a regular election year (or at least 60 days prior to Voting Day for a by-election), in accordance with Sections 56(3) and 56(5) of *the Act*, to adopt a policy with respect to the circumstances in which the Municipality requires the Clerk to hold a recount of the votes cast in an election.

If a recount of votes is held, the votes will be counted in accordance with these processes:

- a) If a recount is held, the recount shall be in accordance with these procedures subject to the necessary modifications acknowledging that the tabulation of votes will occur at a single location and in the absence of voters. The votes shall be conducted in the same manner as the original count.
- b) The Clerk shall request from ScytI Canada Inc. a re-tabulation of the votes cast for the office(s) that are subject to the recount procedure. ScytI Canada Inc. shall send the results of the recount by facsimile transmission and/or by electronic mail (E-mail) and these results will be compared to the results tabulated by the Auditor assigned to the election.

19.2 Timeline for a Recount

A recount shall occur within the following timeline dependent upon the reason for the recount:

- For a tied vote for the election of a candidate to an office where both or all of the candidates cannot be declared elected, or where there is a tied vote on a by-law or question, the Clerk must hold a recount within 15 days after the declaration;
- In the event of a Council or local board resolution or, an order made by the Minister, the Clerk must hold a recount within 15 days after the resolution is passed or the order is made;
- In the event of a court order by the Superior Court of Justice, the Clerk must hold a recount within 15 days of receiving a copy of the order.

19.3 Votes for Candidates to be Included in a Recount

As per Sections 56 and 59 of *the Act*, the votes to be included in the recount are as follows:

- In a recount for a tied vote, the votes cast for candidates who are tied.
- In a recount being conducted under the authority of a council or local board resolution, the votes cast for candidates named in the resolution (all or specified candidates).
- In a recount being conducted under the authority of a court order, the votes cast for candidates named in the order (all or specified candidates).

The Clerk may include the votes for any other candidate(s) for the office for which the recount is being conducted. The practical application of this provision would be for the Clerk to include any candidate whose vote total was, in the Clerk's opinion, close enough to possibly be affected by the recount.

19.4 Notice

In accordance with Regulation 101/97, the Clerk shall issue a notice of the recount. The notice shall include the date, time and location of the recount and advise who may be present during the recount.

19.5 Location

The recount shall be conducted in a suitable location as determined by the Clerk.

19.6 Who May Be Present

In accordance with Section 61 of *the Act*, the following persons may be present at the Recount:

- The Clerk
- Election Officials Appointed by Clerk
- The applicant who applied to Superior Court of Justice for an Ordered Recount (where Order is issued) and his/her:
 - Lawyer, and
 - One scrutineer for each recount station.

- Every Certified Candidate for the office which the recount is being conducted and his/her:
 - Lawyer, and
 - One scrutineer for each recount station.
- For a question:
 - Equal number of scrutineers appointed for each possible answer to the question; and
 - One scrutineer for each of the possible answers for each recount station.
- For a by-law:
 - Equal number of scrutineers shall be appointed to represent supporters and opponents of the by-law; and
 - One Scrutineer representative supporting and one representing opponents may be appointed.
- Any other person with the Clerk's permission

Only the Clerk and the Election Officials shall be permitted at the counting table. All others present shall be stationed in the designated area such that they can observe the recount proceedings but not interfere with the process. Candidates and others present will not be permitted to examine ballots as they are counted, and will not be permitted to dispute the validity of any ballot or how the votes on any ballot are counted by the Clerk and the Election Official(s).

19.7 Procedure

At the time set for the recount to commence, the Clerk will outline the procedures as follows:

- the ballot boxes will be distributed to the counting stations as they are required throughout the count;
- the rules prescribed by the Minister or established by the Clerk are to be followed and should be explained to everyone present for the recount.

19.8 Announce the Results of Recount

Upon receipt of the final results of the recount, the Clerk shall announce the results of the recount to those present at the recount. A copy of the recount report will be provided to each candidate present at the recount. A copy of the recount report will also be provided to any candidate who was not present for the recount.

19.9 Tie Remains – Draw by Lot

Where, at the conclusion of the recount, a tie remains between two or more candidates, the Clerk shall choose in accordance with Section 62(3) of *the Act*, the successful candidate or candidates by lot.

The following procedure shall be used and applied:

- a) The Clerk shall determine the texture and quality of the paper used for this process and each candidate or the candidates' lawyer and/or scrutineer will have an opportunity to examine the paper to be used to inscribe the names of the candidates;
- b) The Clerk shall inscribe the name of each candidate on a similar size paper and the candidates, the candidates' lawyer and/or scrutineer, without touching the paper, examine the same. In addition, all persons present will have an opportunity to examine the box which will be used for conducting the lot;
- c) Upon acceptance by the all candidates, the candidates' lawyer and/or scrutineer, that the processes outlined in paragraphs a) and b) have been adhered to, the Clerk shall fold the papers bearing each candidate's name twice in two (2) equal parts and shall deposit these papers, in full view of all persons present and authorized to attend, in an open-end box that will be acceptable to all persons present. In the event of a conflict or difference of opinion as to the selection of the box, the Clerk shall determine the box to be used for this process.
- d) Upon completion of this process, the Clerk shall hold the box and, without looking into the box, ensure that the contents have been displaced sufficiently, and request the Municipal lawyer to draw only one (1) or the required number for the purpose of determining the successful candidate(s).
- e) The Municipal lawyer shall hand directly to the Clerk the selected and required number of papers and the Clerk shall read aloud the name of the candidate or candidates and proceed to declare this or these individuals elected.
- f) Once completed, the Municipal lawyer shall remove the remaining contents from the box and provide an opportunity for all persons present to examine these slips of papers including the box.

19.10 Declare Results

The Clerk shall declare the results of the recount.

20.0 ACCESSIBILITY

The Township of Minden Hills is committed to providing exceptional and accessible service for its customers and is dedicated to ensure that all voters have a clear unrestrained opportunity to vote.

As such, for 2022 the Township of Minden Hills has implemented alternative voting methods being Internet or Telephone, in addition to the traditional paper Ballot method.

Internet or Telephone voting provides voters with an opportunity to vote from the comfort of their own home with the use of their telephone or computer.

In accordance with the Act the Clerk shall:

- Have regard to the needs of electors and candidates with disabilities.
- The Clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before Voting Day in a regular election.
- In establishing the locations of Voting Places, Help and Revision Centres ensure that each of these locations are accessible to electors with disabilities.
- In order to allow an elector with a disability to vote, an Election Official shall attend on the elector anywhere within the area designated for voting.
- Within 90 days after Voting Day in a regular election make a report available to the public about the identification, removal and prevention of barriers that effect electors and candidates with disabilities.

Election officials will be available for assistance during the Voting Period and on Voting Day.

The Township currently has an Accessibility Policy (#60) Customer Service Standards, on which all staff will be trained.

Following the completion of the Plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities the Clerk shall post the Plan on the Township's website.

Following the completion of the report, within 90 days after Voting Day, about the identification, removal and prevention of barriers that effect electors and candidates with disabilities the Clerk shall post the Report on the Township's website.

21.0 EMERGENCIES

In the event of an emergency, such as a power failure, every attempt will be made to provide continuity of voting, which may include moving to another area in the same facility or to a different facility.

The Clerk may declare an emergency if he or she is of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with *the Act*.

On declaring an emergency, the Clerk shall make such arrangements as he or she considers advisable for the conduct of the election. The arrangements made by the Clerk, if they are consistent with the principles of *the Act*, prevail over anything in *the Act* and the regulations made under it.

In the event of an emergency, Scytl Canada Inc. under direction from the Clerk, shall stop the eVote system from accepting calls via a telephone and connections from the Internet, thus preventing the election from continuing, or starting, as the case may be.

In the event the S.G. Nesbitt Community Centre becomes unavailable as the Voting Place due to an emergency or unforeseen circumstances directly related to the building an alternate voting place will be utilized as determined by the Clerk and in accordance with the provisions of the Municipal Elections Act, 1996.

The emergency continues until the Clerk declares that it has ended.

If made in good faith, the Clerk's declaration of emergency and arrangements shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.

21.1 Postal Services Disruption

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

In addition, in the event of a postal disruption, any election notices/forms that would normally be provided by regular mail, may be provided electronically by the Clerk.

22.0 MAINTAINING PEACE AND ORDER

The Clerk is responsible for maintaining peace and order. This is interpreted as making the Clerk responsible for determining the need for obtaining assistance to maintain peace and order and for making the necessary arrangements in this regard.

The Clerk may appoint persons specifically responsible to aid in maintaining peace and order.

The Clerk may remove any person from the Voting Place that is causing a disturbance. This applies to a voter, scrutineer, candidate, media, etc.

23.0 FORMS

The following list includes prescribed forms used in the conduct of the 2022 Municipal Election:

Form #	Title	Description
Form 1	Nomination Paper	Filed by all candidates seeking Office. (Included in candidate's Information Package and available on the Municipal Website.)
Form 2	Endorsement of Nominations	Filed by all candidates seeking Office. Candidates must obtain 25 original signature from qualified individuals.
Form 4	Financial Statement – Auditor's Report	To be completed by every candidate in a municipal or school board election. Must be filed with the Clerk.
Form 5	Financial Statement – Subsequent Expenses	To be completed by a candidate who incurs costs related to a recount, controverted election or compliance audit after the supplementary campaign period has passed, and who receives the surplus funds from their campaign held in trust from the Clerk. Must be filed with the Clerk.
Form 6	Notice of Extension of Campaign Period	To be completed by a candidate who has a deficit at the end of the regular campaign period and wishes to extend their campaign. Must be filed with the Clerk.
Form 7	Registration of Third Party Advertiser	Filed by all third party advertisers, as per Section 88.6 of <i>the Act</i> .
Form 8	Financial Statement – Third Party Advertiser	To be completed by every third party advertiser in a municipal or school board election. Must be filed with the Clerk.
Form 9	Declaration of Identity	To be completed at the Voting Place by a person who is on the Voters List, but who does not have proof of identity and proof of residence.

The Clerk reserves the right to use additional forms as may be necessary for the conduct of the election.