

Municipality of Meaford

Municipal Election Procedures



May 2, 2022

**Procedures and forms approved and authorized by the
Returning Officer for use during the 2022 election.**

Matthew Smith
Clerk/Returning Officer

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Section 1 Definitions

"Act" means the Municipal Elections Act 1996, SO 1996 c32 as amended.

"Ballot" means the paper used by a Voter to mark their vote or vote(s) for the office of Mayor, Deputy Mayor, Councillor, and School Board Trustee (if applicable) in accordance with sections 41 and 41.1 of the Act.

"Ballot Box" – means an designated box in which marked Ballots are placed.

"Ballot Return Station" – means the location in which the Drop Box is located for the collection of return Vote by Mail envelopes.

"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 Clerk of the Municipality of Meaford 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.). All references to Clerk's designate shall mean the delegated duties of the R.O.

"Count Centre" – means the area designated by the Clerk for the counting of Ballots.

"Drop Box" – means a locked receptacle for the receipt and storage of Vote by Mail envelopes prior to verification.

"Election" means the 2022 Municipal and School Board elections conducted by the Returning Officer (R.O).

"Election Office" means the Municipal Office.

"Election Official" means the Clerk or other person appointed in writing by the Clerk to carry out election duties under the Act. An Election Official can only carry out the tasks and duties as assigned in writing by the Clerk, and must take the prescribed Oath under s.15 of the Act.

"Friend" means any person who is requested by an elector to assist him or her in the voting process.

"Municipal Office" means the Municipality of Meaford administration building located at 21 Trowbridge Street West, Meaford Ontario.

"Nomination Day" means the deadline to file a nomination for a regular election, which is the third Friday in August (August 19, 2022 for the 2022 election).

"Preliminary List of Electors" or "PLE" means a list of electors for the Municipality compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the Municipality no later than July 31 of an election year under s.19 of the Act.

"Proof of Identification" means proof of identity and residence as prescribed in O. Reg. 304/13 of the Act.

"Regular Office Hours" means Monday to Friday, 8:30 a.m. to 4:30 p.m.

"Secure Room" – means a locked storage location with restricted access.

"Scrutineer" means an individual, appointed in writing by a certified candidate, to represent him or her during the election.

"Time/Clock" means the time as indicated on the National Research Council Canada Web Clock showing official times for the Eastern Time Zone.

"Third Party Advertiser" means an individual, corporation or trade union who supports or opposes a candidate and distributes a message in any medium, such as, but not limited to, billboard, newspaper, radio, and paid internet advertising.

"Voters' List" means the Preliminary List of Electors, as corrected by the Clerk, under the provisions of s.19 and s.22 of the Act.

"Voting Day" means the final day on which the vote is to be taken in an election and shall be Monday October 24, 2022 with the close of voting to be at 8:00 p.m.

"Website" means the designated municipal website for election information (www.meafordvotes.ca).

Section 2 Authority

Duties and Powers of Clerk (s.11 and 12)

The Clerk is responsible for conducting the election, including responsibility for:

- a) preparing for the election;
- b) preparing for and conducting a recount in the election;

- c) maintaining peace and order in connection with the election; and
- d) in a regular election, preparing and submitting the accessibility report.

The Clerk may provide for any matter or procedure that:

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

Procedures and Forms

Section 42 of the Act states that the procedures and forms established 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.

Unforeseen Cases

Any unforeseen cases not dealt with in these procedures will be recorded, action taken, and reflected in an addendum signed by the Clerk, to these procedures and circulated to all candidates and posted on the website.

Section 3 Nominations

Nomination Papers (s.33)

A person may be nominated for an office by filing a nomination in the Clerk's Office, in person or by an agent. The nomination must be endorsed by at least twenty-five (25) persons and a person may endorse more than one nomination. The person endorsing a nomination must be eligible to vote in an election for an office within the municipality, if a regular election was held on the day that the person endorses the nomination (Nomination Paper – Form 1).

"Nomination Paper" (Form 1) for the following offices will be available at the Clerk's Office and on the municipal website from Monday May 2, 2022 to Thursday, August 18, 2022 during regular office hours (8:30 a.m. to 4:30 p.m., Monday to Friday), and between 9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022 (Nomination Day):

- (1) Mayor**
- (1) Deputy Mayor**
- (5) Councillor**
- (1) School Board Trustee – English Public**

Nomination papers for school boards must be obtained and filed at the appropriate Municipal Office for the following offices:

(1) School Board Trustee – English Separate

(1) School Board Trustee – French Public

(1) School Board Trustee – French Separate

The following four documents are required at the time of filing:

- Nomination Paper (Form 1)
- Endorsement of Nominations (Form 2)
- The Declaration of Qualification (Form CAN01/CAN02)
- Candidates Consent to Release Personal Information (Form CAN03)

In addition, photo identification is required and the prescribed filing fee (\$200 for Head of Council or \$100 for all other positions paid in cash, debit, certified cheque, or money order made payable to the Municipality of Meaford). The documents may be signed by you in front of the Clerk or delegate at the time of filing, or you may choose to have the Declaration signed elsewhere in front of a Commissioner of Oaths and filed by someone you have appointed in writing to be your agent. The agent will be responsible for providing proof of agency, all four documents listed above, the fee and the candidate's identification.

The Clerk or designate will administer the necessary oaths.

The deadline for filing nomination papers is Friday, August 19, 2022, at 2:00 p.m., as well as the deadline to withdraw.

Municipal Freedom of Information & Protection of Privacy Act (MFIPPA)

The candidate may sign the "Consent to Release Personal Information Form" (Form CAN03) authorizing the Clerk to release personal information to the public and media.

Estimated Maximum Campaign Expenses (s.33.0.1)

The Clerk shall calculate the estimated maximum campaign expenses and the estimated maximum self-funding limit for each office on the "Estimated Maximum Campaign Expenses" Form (CLK01 or CLK02) and the "Estimated Self-Funding Limit" Form (CLK04). The notices shall be provided to the candidate or their agent on the day that the Nomination Paper is filed in accordance with s.33. The Clerk's calculation is final.

Final Calculation of Campaign Expenses (88.20(13))

The Clerk, after determining from the number of eligible electors from the Voters' List for each office, shall calculate the maximum amount of campaign expenses that each candidate may incur for that office and prepare a "Certificate of Maximum Campaign Expenses" Form (CLK06 or CLK07). The Clerk shall also prepare a "Certificate of Self-Funding Limit" (CLK09) and a "Certificate of Maximum Expenses for Parties etc." (CLK10). The certificates shall be delivered to each candidate on or before September 26, 2022. The Clerk's calculation is final and shall be made in accordance with the prescribed formula in O. Reg. 101/97.

Notice of Penalties (s.33.1)

Prior to Voting Day, the Clerk shall provide a notice of penalties on the "Notice of Penalties and Corrupt Practices" (CLK11) to the candidate or their agent.

Unofficial List of Candidates

The Clerk shall provide notice of the unofficial list of candidates by preparing and posting in the Municipal Office and on the website an "Unofficial List of Candidates" (Form CLK12) which is to be updated as each Nomination Paper is filed. The list should be clearly marked "Unofficial". The list is indicated as "unofficial" until the nominations have been certified.

Nomination Day – August 19, 2022 (s.31)

Nomination Papers will be received at the Municipal Office between 9:00 a.m. and 2:00 p.m. on Nomination Day, and will be handled in the same manner as described in the Nomination Papers section above.

Certification of Nomination Papers (s.35 (1))

On or before Monday August 22, 2022, at 4:00 p.m., the Clerk will review each nomination received to determine qualification and if the nomination complies with the Act. Once satisfied the candidate is qualified, the Clerk shall certify the nomination.

Rejection of Nomination Paper (s.35 (3))

If the Candidate is not qualified to be nominated, or the nomination does not comply with the Act, the Clerk will reject the Nomination. A telephone call shall be made to the candidate informing them of the rejection, and a "Notice of Rejection of Nominations" (Form MEL01) shall be sent, by e-mail, as soon as possible, to:

- the person who sought to be nominated; and
- all candidates for the office.

Withdrawal of Nominations (s.36)

Candidates may withdraw their Nomination by filing in person a written withdrawal on "Withdrawal of Nomination" (Form CAN04) with the Clerk before 2:00 p.m. on Nomination Day, Friday August 19, 2022 if the person was nominated on or before Nomination Day. "Withdrawal of Nomination" forms shall only be accepted in person by the Clerk or designate.

The withdrawal shall be noted on the "Unofficial List of Candidates" (Form CLK11).

Official List of Candidates

The final list of certified candidates will be posted at the Municipal Office and on the municipal website on or before Monday, August 22, 2022 using the "Official List of Certified Candidates" (Form CLK13).

Acclamations (s.37 (1))

If after 4:00 pm on Monday, August 22, 2022, the number of certified candidates for an office is the same as or fewer than the number to be elected, the Clerk shall immediately declare the candidate(s) elected by acclamation. The Clerk shall post a "Declaration of Acclamation to Office" (Form CLK14). In this situation there shall be no election conducted for the position(s).

Fewer Number of Nomination Papers than Offices (s.33 (5))

If at 4:00 p.m. on Monday, August 22, 2022, the number of certified nominations filed for an office is fewer than the number of persons to be elected to the office, additional nominations may be filed between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022. The Clerk shall post a "Notice of Additional Nominations" (Form CLK15) on the elections website advising that additional Nomination Papers may be filed for that office during the specified time.

If at 2:00 p.m. on Wednesday, August 24, 2022, additional Nomination Papers have been filed, the procedure to certify or reject Nomination Papers shall be followed.

Additional Nominations More than Number of Offices Remaining (s.33 (5))

If between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022, there are more than a sufficient number of certified Nominations to fill the office(s), an election shall be conducted with the names of the persons who have filed certified Nomination Papers.

Withdrawal of Additional Nominations

Withdrawal of additional nominations must take place prior to 2:00 p.m. on Wednesday, August 24, 2022, following the procedure in the Withdrawal of Nomination Paper section above.

Additional Nominations Equivalent to Number of Offices (s.37 (2))

If at 4:00 pm on Thursday, August 25, 2022 there is a sufficient number of certified Nomination Papers filed to fill the office(s), the Clerk shall post a "Declaration of Acclamation to Office" (Form CLK14).

Insufficient Number of Nomination Papers Filed to Form a Quorum – Municipal Council (s.37 (4)1)

If the number of Nomination Papers filed is insufficient to form a quorum of the Municipal Council, a by-election shall be held.

Sufficient Number of Nomination Papers Filed to Form a Quorum– Municipal Council (s.37 (4))

If the number of Nomination Papers filed is less than the number of positions for an office of the Municipal Council, but does form a quorum, s.263(1)(a) of the Municipal Act, 2001, as amended, shall apply.

Death or Ineligibility of a Candidate (s.39)

If a certified candidate dies or becomes ineligible before the close of voting and

- the result would be an acclamation for an office, the election to such office is void and a by-election for such office shall be held; and
- the result would be one fewer candidate only and no acclamation, the candidate's name shall be omitted from the ballot.

No votes are to be counted for the candidate who has died or become ineligible.

Section 4 Voters' List

Voter Qualifications (s.17(2))

A person is entitled to be an elector if, on Voting Day (October 24, 2022) they:

- are a Canadian citizen;
- are at least 18 years old;
- reside in the local municipality, or are the owner or tenant of land in the local municipality, or the spouse of such a person; and
- are not prohibited from voting under s.17 (3).

Certification of Voters' List

The Preliminary List of Electors (PLE) supplied by the Municipal Property Assessment Corporation shall be delivered to the Clerk by August 22, 2022.

The PLE shall contain the name and address of each person who is entitled to be an elector and additional information the Clerk needs to determine for which offices each elector is entitled to vote, such as school support. The name of each non-resident elector shall be entered on the PLE for the voting subdivision in which the elector or his or her spouse is an owner or tenant of land.

It is possible for an elector's name to appear on the Voters' List of more than one municipality and may be eligible to vote in both municipalities. For example, a person listed as a resident elector in one municipality and a non-resident elector in another municipality is entitled to vote in each, provided they are not voting for the same office more than once. An elector may only vote once for School Board Trustee in the jurisdiction of the Board.

The Clerk shall correct any obvious errors in the PLE prior to Thursday, September 1, 2022, and notify the Municipal Property Assessment Corporation. The corrected PLE becomes the Voters' List.

The Clerk may use any information that is in the Municipality's custody or control when correcting the PLE for obvious errors (s.22 (2)).

The Voters' List shall be reproduced on or before September 1, 2022.

The Clerk shall inform electors using various methods how revisions are to be made to the Voters' List.

Requests for Copies and Proper Use of the Voters' List

Upon request, the Clerk shall provide every candidate the part of the Voters' List that contains the names and qualifying address of the electors who are entitled to vote for that office in hard or secure electronic copy. Each candidate will be required to sign the "Declaration of Proper Use of the Voters' List" (Form CAN06). The use of the Voters' List shall be in accordance with the "Policy for Use of the Voters' List". Candidate copies must be returned to the Clerk following the election for destruction.

Access to the Voters' List (s.88(10) and (11))

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

Amendments to the Voters' List

The Voters' List may be amended using the "Application to Amend Voters' List" (Form MEL02) and providing proof of identity and residence as prescribed in O. Reg. 304/13, between September 1, 2022 to October 23, 2022:

- In person at the municipal office during regular business hours;
- In person at an advance poll;
- By mail; or
- Via e-mail to elections@meaford.ca.

Applications sent via mail or e-mail must be accompanied by a copy of acceptable proof of identity and residence, which shall be securely destroyed once the Clerk or designate has approved or rejected the application.

Applications made in person may be submitted by an agent of the elector, provided that proof of identity and residence of the applicant is presented.

The Voters' List may be amended in person on October 24, 2022 between 10:00 a.m. and 8:00 p.m. at any polling station.

Applicants who wish to use the "Affidavit of Qualification" (Form MEL04) as proof of identity and residence must apply in person, or submit an application via mail or e-mail that includes the signature and stamp of a Commissioner of Oaths.

Indication of alternative voting methods on Voters’ List

The Voters’ List shall include a marker to indicate whether an elector has registered to vote by mail in the municipal election.

Interim List of Changes (s.27 (1))

The Clerk shall prepare an “Interim List of Changes” on or before September 15, 2022 to the Voters’ List and circulate as required.

Final List of Changes (s.27 (2))

The Clerk shall prepare the “Final List of Changes” to the Voters’ List by November 23, 2022 and send to MPAC.

Section 5 Campaigning

Campaigning is permitted no earlier than the filing of Nomination Papers by the candidate. Information contained in/on all campaign material is the responsibility of the candidate and any questions or concerns should be directed to the candidate.

Questions pertaining to the Election

Questions pertaining to the election, including the voting method, shall be directed to the Returning Officer:

Matthew Smith, Clerk
21 Trowbridge Street W.
Meaford, ON
N4L 1A1
Tel: 519-538-1060 ext. 1115
Email: msmith@meaford.ca

Questions pertaining to the Municipality’s Administration

Questions pertaining to the Municipality’s administration, or requests for meetings with staff members should be directed to the Chief Administrative Officer, who will follow up with the necessary Director or appropriate staff.

Every effort will be made to provide information to all candidates to ensure fairness and transparency. Answers to questions posed by candidates, via e-mail or in-person, will be shared with all registered candidates without identifying the questioner and posted on the Municipal website generally within one week.

Rob Armstrong, Chief Administrative Office
21 Trowbridge Street W.
Meaford, ON
N4L 1A1
Tel: 519-538-1060 ext. 1121
Email: rarmstrong@meaford.ca

Appointment of Scrutineers

A candidate may appoint scrutineers to represent them at polling stations, during the verification of vote by mail ballots and during the counting of the ballots.

The appointment shall be made using the "Appointment of Scrutineer" (Form CAN05). The forms to appoint scrutineers must be signed by the candidate in person at the Municipal Office. The candidate shall provide this signed form to their scrutineer.

Rights and Prohibitions of Scrutineers

Each scrutineer shall be responsible for his/her conduct, rights and prohibitions as set out on the applicable appointment form.

A person appointed as a scrutineer, before being admitted to the polling station or count centre, shall show his/her applicable appointment form and provide proof of identity and residence as prescribed in O. Reg. 304/13 to the Election official.

Not more than one scrutineer representing each candidate may attend a polling station at one time, including at the opening and the closing of the poll. The scrutineer/candidate must take an "Oral Oath of Secrecy" Form (Form POLL01) at the polling station.

Not more than one scrutineer representing each candidate may attend the verification of vote by mail ballots at one time. Each candidate or scrutineer present at the verification of vote by mail ballots must take an "Oral Oath of Secrecy" (Form POLL01).

Not more than two scrutineers representing each candidate may attend the count centre at one time. Additional scrutineers may be in the public areas of the building where the count centre is located.

Use of Municipal Logo or Other Insignia

The use of the municipal logo or other insignia for campaign purposes is strictly prohibited.

Municipally Owned/Leased Facilities

Election campaigning or the distribution/posting of election campaign material at municipally-owned or leased facilities is not permitted, with the exception of road allowances.

The Municipality of Meaford's Use of Corporate Resources for Election Purposes Policy states:

Municipally owned or run facilities may only be used for election related purposes if rented in accordance with standard Municipality of Meaford rental procedures and the commercial fees and charges listed in the Municipality's Fees and Charges By-law. Election related activities are not permitted in any municipally owned facility that is not available for rental.

Members and candidates may not campaign, distribute campaign literature, or engage in election related activities at any function hosted by the Municipality of Meaford.

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

Election Signs

The following provides a summary of election sign requirements and limitations. Candidates should refer to the Municipality's Election Sign By-law 2018-50 and Grey County Corporate Procedure MS-TS-005-001, Advertising Sign Permit for specific details.

A sign permit or a permit application is not required for election signs.

Signs can be displayed no sooner than **Friday, August 26, 2022**. All election signs must be removed by the candidate or the candidate's representative by **Saturday, October 29, 2022**.

No person shall display a logo, trademark or official mark on any election sign. The name of the candidate responsible for the sign must be clearly visible on the sign.

Vandalism

The investigation or prosecution for any acts of vandalism to the posters or campaign material of the candidates should be referred to the local police force by the complainant. The Municipality or any of its municipal officers, employees or agents will not be responsible.

Registration for Vote by Mail

Any eligible voter may request a vote by mail ballot by submitting the completed form, "Registration for Vote by Mail Ballot" (Form MEL05) before Thursday, September 15, 2022. This request will then be indicated on the Voters' List. Once the voter's application has been accepted, they may only cast their vote using the vote by mail ballot.

Vote by Mail Process

The Elections Office will provide the Vote by Mail Kit to voters who have completed the registration process.

On approximately Monday, September 26, 2022, the Elections Office will begin mailing the Vote by Mail Kits to those voters who have registered to receive a vote by mail ballot.

How to Vote

A Vote by Mail Kit shall consist of:

- A voting instruction sheet;
- A Ballot for each race that the Voter is entitled to vote in;
- An inner ballot secrecy envelope;
- A "Voter Declaration Form" (Form MEL06);
- An outer return envelope with prepaid postage; and
- Any other necessary material as the Clerk determines.

Upon receipt of the Vote by Mail Kit, each voter should precisely follow the instructions provided in the voting kit. The instructions require the voter to:

- Complete the Ballot(s);
- Fold and insert the Ballot(s) into the inner ballot secrecy envelope;
- Seal the inner ballot secrecy envelope;
- Complete the "Voter Declaration Form" (Form MEL06);
- Place the completed voter declaration form and the sealed inner ballot secrecy envelope into the prepaid return envelope;

- Seal the prepaid return envelope.

Ballot Returns

In order for the Ballot(s) to be accepted and counted, vote by mail Ballot(s) must be submitted in a return envelope and include all materials specified in the How to Vote section.

The prepaid return envelope must be received at the Elections Office, or at a Polling Station, by no later than 8:00 p.m. on Voting Day, Monday, October 24, 2022. No Ballot(s) received after this time will be counted.

The postage paid return envelope can only be used for mail originating within Canada.

Voters must ensure that the prepaid return envelope is mailed in a timely manner to ensure that the Ballot is received at the Elections Office on or prior to Monday, October 24, 2022. Voters who have failed to mail their return envelope in sufficient time for the Ballot(s) to be delivered by Voting Day are encouraged to take steps to ensure alternate delivery of the return envelope to the Elections Office prior to 8:00 p.m. on Voting Day.

A Ballot Return Station will be established in the Elections Office for those voters who prefer to deliver, or have delivered, their completed Ballot(s) directly into the care of the Clerk or designate during regular office hours, rather than forwarding their Ballot(s) by mail.

Return envelopes must reach the Elections Office by 8:00 p.m. on Voting Day, or they will not be counted.

In the event of a Canada Post work stoppage during the Vote by Mail period, the Clerk will make alternate arrangements to have the Vote by Mail Kits delivered to residents and provide drop off locations in Municipality for voters to drop off their return envelopes.

Return envelopes deposited in the after-hours outside mail slot located at the Administrative Office (21 Trowbridge Street West) until Monday, October 24, 2022, prior to 8:00 p.m., will be accepted as having been delivered and will be counted.

Replacement Vote by Mail Kits

If a voter registered for a vote by mail ballot and does not receive their kit, or if the kit is lost or destroyed, a replacement special Vote by Mail Kit may be issued at the Clerk's discretion on receipt of the "Replacement Vote by Mail Kit Request Form" (Form MEL07).

Storage of Vote by Mail Kits

The use of a vote by mail process necessitates the storage of blank and cast Ballots, and replacement special Vote by Mail Kits in the Secure Room.

The following items shall be secured during the Election Period:

- Ballots (blank and returned)
- Ballot Drop Box
- Ballot Boxes
- Replacement Vote by Mail Kits

During the vote by mail period, all items listed above will be kept in the Secure Room and may only be accessed by either the Clerk or Deputy Returning Officer(s).

Security of the Ballot Prior to Verification

Access to the Secure Room will be restricted commencing Monday, September 14, 2022 until 120 days after the declaration of the voting results as prescribed in the Act.

Upon receiving the prepaid return envelopes by mail or at the Ballot Return Station, the Clerk or designated Election Staff shall place the return envelopes into the locked Drop Box until the designated time to process the return envelopes. At the designated time, the return envelopes will be processed in accordance with the procedure stated in the Opening and Processing of Return Envelopes section below.

At the end of each day, the Clerk or designated Election Staff shall affix a seal, preventing any return envelopes from being put into or removed from the Drop Box. The person sealing the Drop Box will place the date and their initials on the seal. The sealed Drop Box will remain in the Secure Room.

Each morning, the seals on the Drop Box shall be inspected to ensure that they are intact. The seal shall then be removed so that the Drop Box can be used during the day.

Procedure for Receiving Return Envelopes

Mailed Return Envelopes

Return envelopes will be received on a regular basis during the Vote by Mail Period. Return envelopes are to be immediately placed in the locked Drop

Box in the Elections Office. The Drop Box shall be clearly marked as a "Drop Box" for Vote by Mail return envelopes containing the secrecy envelope and the voter declaration form.

The contents of the Drop Box will be processed on a schedule to be determined by the Clerk, based on the number of return envelopes received. Candidates will be provided with at least 24 hours notice of each occasion that the contents of the Drop Box are processed. The return envelopes will be processed following the procedures as set out in the section entitled Verification of Return Envelopes. The Clerk or Deputy Returning Officer shall ensure that the Drop Box is sealed and secure at the end of each day.

Dropped Off Return Envelopes

Pre-registered Voters attending in person at the Elections Office to exercise their right to vote shall complete their vote in accordance with the instructions contained in the Vote by Mail kit. There will be an area designated at the Elections Office for Voters to complete their vote in privacy.

Return envelopes are to be placed immediately in the locked Drop Box behind the front counter. The Drop Box shall be clearly marked as a "Drop Box" for Vote by Mail return envelopes containing the secrecy envelope and the voter declaration form.

The contents of the Drop Box will be processed on a schedule to be determined by the Clerk, based on the number of return envelopes received. Candidates will be provided with at least 24 hours notice of each occasion that the contents of the Drop Box are processed. The return envelopes will be processed following the procedures as set out in the section entitled Verification of Return Envelopes. The Clerk or Deputy Returning Officer shall ensure that the Drop Box is sealed and secure at the end of each day.

Verification of Return Envelopes

On a schedule to be determined by the Clerk during the Vote by Mail period, up to a maximum of once per day, the Clerk or designate, in the presence of at least two members of Election Staff, will open the Vote by Mail return envelopes which have been received in the Drop Box at the Elections Office. Candidates will be given at least 24 hours notice of each verification of return envelopes. A maximum of one representative (including the Candidate) may attend each verification session.

Under the supervision of the Clerk or designate, ballot processing staff will remove the inner Ballot secrecy envelope and voter declaration form from the return envelope. Ballot processing staff will verify that the voter

declaration form is properly signed, and that the signature matches the signature on the vote by mail application. The voter will be marked as voted on the Voters List, and the ballot secrecy envelope deposited in the Ballot Box.

The Clerk or designate will record the number of vote by mail ballots processed during each verification session on "Vote by Mail Verification Record" (Form MEL08) with their signature and the signature of any Candidates or Scrutineers present who wish to sign the form.

Once verified, the Clerk or designate will date stamp the voter declaration form and file alphabetically by last name. Upon request, voter declaration forms that have been processed will be made available for Candidates or their Scrutineers to review or update their Voters' Lists, if desired.

Security of the Ballot after verification

At the end of each verification session, the Clerk or designate, in the presence of another member of Election Staff, shall affix a seal, preventing any Ballots from being put into or removed from the Ballot Box. The person sealing the Ballot Box will place the date and their initials on the seal. The sealed Ballot Box will remain in the Secure Room.

Before each subsequent verification session, the seals on the Ballot Box shall be inspected to ensure that they are intact, in the presence of another member of Election Staff and any Candidates or Scrutineers present. The seal shall then be removed so that the Ballot Box can be used during the verification session.

Transport of Sealed Ballot Box

On Voting Day, after the final verification session, the Vote by Mail Ballot Box will be sealed according to the process outlined above, and transported by the Clerk or designate to the Count Centre. The Drop Box shall be maintained in the Elections Office on Voting Day until the close of voting.

At the close of voting, the Drop Box maintained in the Elections Office shall be sealed and transferred to the Count Centre. The contents of the Drop Box, along with any vote by mail ballots received at polling stations, shall be verified in the manner described above.

The Ballot Boxes shall be secured at the Count Centre until the close of poll, at which time the Ballots will be counted.

Multiple and Rejected Vote by Mail Ballots

A separate return envelope is provided to each individual Voter. Any return envelope that contains more than one voter declaration form or more than one inner Ballot secrecy envelope shall be treated in the following manner:

- Envelopes containing equal number of inner Ballot secrecy envelopes and voter declaration forms **will be processed**.
- Envelopes containing more Ballot secrecy envelopes to voter declaration forms or more voter declaration forms to inner Ballot secrecy envelopes **will be rejected**.

The following conditions will also cause a Ballot to be considered rejected if:

- upon opening the return envelope there is no voter declaration form;
- upon opening the return envelope the voter declaration form is not signed;
- the signature on the declaration form does not match the signature provided on form MEL05.
- the Voter's name has already been struck off the Voters' List as having voted – the outer envelope will be marked as such, dated, initialed and filed accordingly;
- there are marks on the sealed Ballot secrecy envelope which may reveal the identity of the voter;

If, upon opening the return envelope, the Ballot secrecy envelope has not been sealed, Election Staff may immediately seal the envelope without examining the Ballot.

If, upon opening the return envelope, a signed voter declaration is present and the Ballot is not in a secrecy envelope, Election Staff may immediately insert the Ballot into a secrecy envelope without examining the Ballot.

Where a Ballot secrecy envelope is rejected, the reason for the rejection shall be recorded by numbering the Ballot secrecy envelope and noting the reason for the rejection on a separate "Rejected Vote by Mail Ballots Form" (Form MEL09). The rejected Ballot secrecy envelope shall be stored in the Secure Room.

The Clerk or designate will then electronically mark the Voter as voted on the Voters' List.

Verification of non-matching signatures

In circumstances where the signature on the voter declaration form does not match the signature on the vote by mail application form, the Clerk or designate will attempt to contact the voter by telephone. The Clerk or designate will ask the voter if they have mailed or delivered their mail-in ballot, and notify them of the signature discrepancy.

If the voter is able to provide, in person or scanned and sent via e-mail, a signature that matches the signature on the voter declaration form, and provide identification that matches the name on the Voters' List, the ballot will be accepted and processed in the normal manner.

If the voter does not respond prior to 8:00 p.m. on Voting Day, or cannot provide the necessary proof of identify, the ballot will be rejected.

Section 7 Advance Polls

The Clerk shall establish advance polls in accordance with section 43 of the Municipal Elections Act. The date, time and location of all advance polls shall be published to the municipal website by September 1, 2022.

Advance polls shall be conducted in the same manner as described in Section 9 – Polling Stations. Where specific times are referred to in Section 9, the Deputy Returning Officer for the advance poll shall substitute the times established for the advance poll.

Following the close of poll process, the Deputy Returning Officer for each advance poll shall transport the sealed ballot box to the Elections Office. The Clerk or designate shall receive the sealed ballot box and countersign form POLL08. The Ballot Box shall be stored in the Secure Room.

Transfer of Ballots to Count Centre

Prior to 8:00 p.m. on Voting Day, all Advance Poll Ballot Boxes shall be transferred to the Count Centre by the Clerk or designate.

The Ballot Boxes shall be secured at the Count Centre until the close of poll, at which time they will be counted.

Section 8 Proxy Votes

Appointing a Proxy (s. 44)

An elector may appoint a voting proxy to vote on their behalf in the 2022 municipal and school board elections.

The person appointed as the proxy must also be eligible to vote in the Municipality of Meaford, and cannot act as a voting proxy for more than one person, unless the proxy and other person are spouses, siblings, parent/child or grandparent/grandchild of each other.

To register for a proxy vote, the elector must complete the "Appointment for Voting Proxy" (Form 3). Form 3 must then be presented at the Elections Office by the elector appointed to be a proxy, in order for the Clerk or designate to certify the appointment. The proxy voter shall be provided with a copy of the certified form, which must be presented at the polling station.

Applications for a proxy vote may only be submitted between Monday, August 22, 2022 and Friday, October 21, 2022.

Voting as a Proxy

In order to vote on behalf of an elector, the proxy voter must present the certified application for voting proxy form at an advance poll or polling station. The Deputy Returning Officer shall review the certified form and Voters' List and, if they are satisfied that the proxy vote should be permitted, require the elector to take the prescribed oath of a proxy voter.

Once the oath has been taken, the Deputy Returning Officer shall issue a Ballot in the normal manner, marking the Voters' List to show that a vote has been cast on behalf of the elector.

Section 9 Polling Stations

Establishing Polling Stations

The Clerk shall organize as many polling stations as they feel necessary to allow the voters of the Municipality to vote in the municipal election. The location of all polling stations shall be published to the municipal website by September 1, 2022.

Before Polling Day

Prior to polling day, the Clerk shall provide training to all Deputy Returning Officers and election staff responsible for Polling Stations.

The Deputy Returning Officer (DRO) for each Polling Station shall ensure that they know the location of the Polling Station, and any access arrangements that are in place.

On Voting Day, each DRO will attend the Elections Office prior to the start of voting, and the Clerk will provide enough ballots, ballot boxes and other

equipment required to operate the Polling Station. The Clerk shall complete the "Ballot Paper Account" (Form POLL07) listing the ballot paper numbers issued to each Deputy Returning Officer.

A checklist of polling station supplies will be provided with the ballot box and other polling station materials. If, on checking the contents, any items of equipment or materials listed on the inventory are missing, the Deputy Returning Officer shall contact the Clerk immediately. Materials should be checked on receipt.

The DRO should also check that the ballot papers are in numerical order, and are the correct ones for the polling station and that there are no obvious errors in the numbering of the papers. The numbers on the back of the ballot papers should be checked against the ballot paper numbers printed on the corresponding Ballot Paper Account. This should be checked before polling begins. The ballot papers should be issued in numerical order.

Polling Station Set-Up

The Deputy Returning Officer and election staff shall arrive at the Polling Station by 9:15 a.m. in order to be ready to open the Polling Station at 10:00 a.m.

The DRO shall ensure that all of the ballot papers are present, and are ordered in numerical order. Only one book of ballot papers shall be used at any one time.

The Clerk shall provide each Deputy Returning Officer with a checklist for the set-up of the Polling Station, including a layout plan. The DRO shall ensure that the Polling Station is set-up according to the plan and checklist, prior to opening the poll.

Sealing the Ballot Box

The DRO must close and seal the ballot box a few minutes before 10:00 a.m., after showing those present that it is empty. If additional boxes have been issued to the DRO, these ballot boxes should be stored securely out of sight until they are required.

Ballot boxes vary in design, as does the method of sealing them. Whatever method is used, the DRO shall make sure that the ballot box is properly secured. Candidates or scrutineers may not affix seals to the ballot box(es) at the opening of the poll. Their seals may only be attached to ballot box(es) at the close of poll.

Opening the Poll

The Deputy Returning Officer shall open the door to the Polling Station at 10 a.m. No ballot papers shall be issued before 10 a.m. Use of electronic devices is prohibited in the Polling Station after 10 a.m., except by authorized election staff, or under their direction.

Issuing of ballots and list check off

Any qualified elector whose name appears on the list of electors or who can produce a completed "Application to Amend Voters' List" (Form MEL02), authorizing their name to be added to the list, is entitled to vote. Each qualified elector is only entitled to one ballot.

If an elector's name inadvertently appears more than once on a voting list, the elector shall not vote more than once in each election. It is possible for an elector's name to appear on the voting list of more than one municipality. That elector may be eligible to vote in both municipalities.

Votes for School Board Trustees must be cast in the municipality where the elector resides.

Acceptable Documents for Voter Identification

As outlined in Ontario Regulation 304/13, an elector must present one of the following documents showing their name and qualifying address in order to receive a ballot:

1. An Ontario driver's licence
2. An Ontario Health Card (photo card)
3. An Ontario Photo Card
4. An Ontario motor vehicle permit (vehicle portion)
5. A cancelled personalized cheque
6. A mortgage statement, lease or rental agreement relating to property in Ontario
7. An insurance policy or insurance statement
8. A loan agreement or other financial agreement with a financial institution
9. A document issued or certified by a court in Ontario

10. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency or such a government (including a polling card).
11. Any document from a Band Council in Ontario established under the Indian Act (Canada)
12. An income tax assessment notice
13. A Child Tax Benefit Statement
14. A Statement of Employment Insurance Benefits Paid T4E
15. A Statement of Old Age Security T4A (OAS)
16. A Statement of Canada Pension Plan Benefits T4A (P)
17. A Canada Pension Plan Statement of Contributions
18. A Statement of Direct Deposit for Ontario Works
19. A Statement of Direct Deposit for Ontario Disability Support Program
20. A Workplace Safety and Insurance Board Statement of Benefits T5007
21. A property tax assessment
22. A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement
23. A CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities
24. A hospital card or record
25. A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution
26. A document showing residence at a long-term care home under the Long-Term Care Homes Act, 2007, issued by the Administrator for the home
27. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission

28. A cheque stub, T4 statement or pay receipt issued by an employer
29. A transcript or report card from a post-secondary school

Requirement to Provide Proof of Identity

All eligible electors will be required to provide proof of identity and residence in order to obtain a ballot. An elector on the Voters' List without identification may complete a "Declaration of Identity" (Form 9).

Challenging Eligibility

If a candidate or scrutineer challenges the right of a person to vote, the DRO or Election Staff must note on the Voters' List "objected to by (the name of the candidate)" or "objected to by (name of scrutineer) on behalf of (name of candidate)". The DRO may also challenge an individual on their own initiative if they have reason to believe the person is not entitled to vote in that voting place. In either case, the challenged individual must then take the "Oath of Qualification" (Form POLL02). Once the oath is taken, a Ballot should be issued in the normal manner.

If the elector refuses, a Ballot must be refused and the words "refused to affirm" or "refused to be sworn" must be entered for that person's name on the Voters' List.

Separate Ballots

The Municipality of Meaford will use individual ballots for each contest in the 2022 Municipal and School Board Election. Voters will be issued with a ballot for each contest that they are eligible to vote in. Where these procedures refer to a "Ballot", that shall be interpreted as including ballot papers for each contest the elector is eligible to vote in.

Usual Voting Procedure

When an elector arrives to vote, the DRO must be satisfied that the person is entitled to vote. The Voting Clerk must then strike the elector's name off the voting list by marking the Record Elector field in the VoterView online portal.

Prior to giving a ballot to a qualified elector, a member of Election Staff will place a clear unique mark on the back of the Ballot. The Ballot shall be folded in half on the horizontal axis, and handed to the voter. The elector must proceed immediately to the voting booth, mark the Ballot with the pen provided, and then take the Ballot to the Ballot Box, folded so that the face

of the ballot is hidden, and the unique mark is clearly visible. Election Staff shall remove the perforated strip showing the ballot number, and deposit that strip in a separate box, before placing the Ballot into the Ballot Box.

A person whose ballot has been placed in the ballot box is deemed to have voted and is not, under any circumstances, entitled to another ballot.

Cancelled Ballots

An accidentally spoiled ballot may be returned to the DRO in exchange for a new one. The DRO must immediately write "cancelled" on the ballot, and place it in the envelope provided for cancelled ballots. The cancelled ballot shall be tracked by the DRO on the "Ballot Tracking Sheet" (Form POLL03). Cancelled ballots do not count toward the total number of votes cast.

Forfeited Votes

An elector is no longer entitled to vote if after receiving a ballot, they leave the voting place without returning the ballot. The DRO shall record this on the Ballot Tracking Sheet as a Forfeited Vote.

Declined Ballot (Section 52(5))

When an elector declines the right to vote for all offices for which they are entitled to vote, the ballot may be marked as "declined" and placed in the envelope provided for declined ballots. The declined Ballot shall be recorded on the Ballot Tracking Sheet and shall count toward the total number of votes cast.

Where an elector wishes to decline to vote for at least one office, and to vote for at least one office, the elector should be issued a ballot paper for each contest that they wish to vote in, and a declined ballot recorded on the Ballot Tracking Sheet for each contest that the elector declines to vote for.

Electors who choose to decline their ballot for some or all of the contests they are eligible to vote in, shall be recorded on the Voters' List as having voted. A person who has been marked as declining their Ballot is deemed to have voted and is not, under any circumstances, entitled to another ballot.

The Record Shows an Elector has Already Voted

Provision is made to allow a person to vote if it appears that someone else has already voted in their name or that the Voters' List has been marked in error. The person must be willing to sign the written "Oath of Qualification" (Form POLL02) and provide proof of identity and residence as prescribed. The DRO shall record the voters name and the time of attendance at the

polling station on "Record an Elector has Already Voted" (Form POLL04). The elector shall be issued with a new Ballot, and shall vote in the normal manner.

Additional Ballot Boxes

When the ballot box sealed at the opening of the poll is nearly full, the DRO shall take one of the additional ballot boxes provided and demonstrate that it is empty to all those present in the Polling Station. The Ballot Box shall be sealed in accordance with the procedures established above. The full ballot box shall be placed in a secure location and sealed.

Submission of Vote by Mail ballots at Polling Stations

Electors may return a completed Vote by Mail ballot to a Polling Station. The Ballot must be submitted in a sealed envelope as specified in the Vote by Mail instructions, and must include the secrecy envelope and the signed declaration.

Sealed vote by mail ballots shall be placed in the designated envelope, and tallied on the "Receipt of Vote by Mail Ballot Tracking Sheet" (Form POLL05). At the close of poll, the DRO shall seal the envelope, and total the number of Vote by Mail ballots received. Both the envelope and form shall be returned to the Count Centre for processing as described in the above section.

Voters' list registration

If a person arrives to vote and is not on the voting list, they must complete the "Application to Amend Voters' List" (Form MEL02). The Election Staff shall request proof of identification as prescribed. That person's name and address must then be added to the Voters' List by the Election Staff. The form is then placed in the envelope provided and a ballot is issued in the normal manner.

Electors requiring assistance

Election Staff may permit an elector who needs assistance in voting to have such assistance as the Election Official considers necessary.

Providing general assistance to voters

Persons with disabilities may be accompanied by a support person within the Polling Station. In addition, Election Staff can assist the voter in casting his or her vote. Prior to entering the voting booth, the DRO shall, in conjunction with the elector, determine the extent to which they need assistance and the best way in which this assistance can be provided. This may include actually

marking the ballot as directed by the elector. Where a Polling Station is located in an institution or retirement home, election officials can attend on voters in their specific living areas or at their bedsides to assist them to vote. All election officials are sworn to an oath of secrecy.

Oral Oath to Vote with Assistance

A voter who requires such assistance to vote may ask the Election Official for assistance. The Election Official shall require the voter making the request to take the Oral Oath to Vote with Assistance on the "Oral Oath of Friend or Interpreter" (Form POLL06), and then vote as directed by the voter. Any other person present must withdraw until the voter finishes instructing the Election Official. Upon completion, the ballot shall be put into the Ballot Box in the normal manner.

Oral Oath of Friend of Elector

The voter may request that a friend accompany them into the voting booth to assist marking their ballot. A friend may be anyone accompanying the elector. Anyone acting as a friend shall be required to take the Oral Oath of Friend of Elector on the "Oral Oath of Friend or Interpreter" (Form POLL06). No person shall be allowed to act as a friend of more than one voter at a voting place, except a voting place established under Section 45(7).

Oral Oath of Interpreter

Where the Election Official does not understand the language of a voter, an interpreter, provided by the voter, shall take the Oral Oath of Interpreter on the "Oral Oath of Friend or Interpreter" (Form POLL06), and shall translate the oath as well as any lawful questions asked of the elector.

Scrutineers

Not more than one scrutineer representing each candidate may be in a Polling Station for any of the purposes specified in Section 47 (1) (c) at any time. The DRO will require candidates and scrutineers to take the "Oral Oath of Secrecy" (Form POLL01) on entry to the Polling Station.

Evidence of Appointment

A person appointed as a scrutineer, before being admitted to a Polling Station, shall show proof of their appointment to the DRO.

Scrutineers' Rights and Prohibitions

Each scrutineer shall be responsible for his/her conduct, rights and prohibitions as set out on the applicable appointment form.

Rights

Candidates and Scrutineers are permitted to be present when ballot boxes and materials related to the opening and closing of ballot boxes occurs. They are also permitted to observe – but not touch - election materials and the election process during voting hours, and ask questions of voting location staff, where it doesn't interfere with an elector casting a ballot.

Since the Municipality of Meaford uses an electronic voters list, Candidates or Scrutineers are not permitted to ask voting location staff to inspect the Voters' List.

Prohibitions

Scrutineers and Candidates are prohibited from the following:

- Attempting, directly or indirectly, to interfere with how an elector votes;
- Attempting to campaign or persuade an elector to vote for a particular Candidate;
- Displaying a Candidate's election campaign material in a voting or counting place;
- Compromising the secrecy of voting;
- Interfering or attempting to interfere with an elector who is marking a ballot;
- Obtaining or attempting to obtain, in a voting place, any information about how an elector intends to vote or has voted, and;
- Communicating any information obtained at a voting place about how an elector intends to vote or has voted.

Close of poll

The Polling Station shall be closed at exactly 8:00 p.m. Anyone waiting in line to get into the voting place at the close of voting is entitled to vote.

In addition to elections staff, candidates, scrutineers and police officers are permitted to be present at the close of poll.

After the close of poll and the last person has voted the DRO shall seal the ballot box. Any candidate or scrutineer present may also affix their seal to it.

Candidates and scrutineers are also entitled to be present when the DRO's paperwork is being completed and when envelopes are sealed as described below. They are also entitled to affix their own seals to these packets at this time.

Completing the paperwork

The DRO must complete all official forms prior to the delivery of the Ballot Box to the Count Centre.

The DRO shall complete the following forms:

- The "Ballot Paper Account" (POLL07)
- The "Vote by Mail Ballot Tracking Sheet" (POLL05)
- The "Cancelled Ballot Tracking Sheet" (POLL03)
- The "Ballot Transportation Declaration" (POLL08)

Checklist of official packets and envelopes and their contents:

- the envelope containing the vote by mail ballots handed in at the polling station
- unused, declined and cancelled ballot papers
- the envelope containing Applications to amend the Voters' List

Each of these forms and packets shall be signed and/or sealed as directed by the Clerk, and may be counter-signed and/or sealed by any candidate or scrutineer present at the Polling Station. The Clerk may require additional forms or packets to be completed by the Deputy Returning Officer should they feel it necessary.

The Ballot Paper Account

The Ballot Paper Account shall be partially completed by the Clerk or designate prior to polling day, listing the number of ballots, and the serial numbers, issued to each polling station. The DRO shall complete the remainder of the form at the close of poll.

The ballot paper account reconciles the number of ballot papers issued, the number cancelled or declined, and the spare ballots remaining. The form relies on the serial numbering of the ballot paper.

The ballot paper account and the packet containing the vote by mail envelopes shall be delivered with the ballot box and other documentation to the Count Centre as soon as possible after the close of poll.

Ballot security and transport

The ballot box, ballot paper account, vote by mail envelope, sacks or bags containing the official envelopes, and other election stationery and materials must be delivered to the Count Centre, in accordance with the instructions provided by the Clerk.

One of the Election Staff assigned to the Polling Station shall accompany the Deputy Returning Officer while they are transporting ballot boxes and other materials to the Count Centre.

The Deputy Returning Officer shall not leave the ballot box unattended at any time and shall ensure that the ballot box is only handed to the Clerk or designate at the Count Centre.

Receipt of ballots at Count Centre

As each ballot box is delivered to the Count Centre, the Clerk or designate shall ensure that all seals placed on each ballot box are intact. Candidates and Scrutineers may also inspect the seals at this time. The Clerk or designate shall counter-sign the Ballot Transportation Declaration on receipt of the Ballot Box.

Section 10 Count Procedure

Count Centre Access

Candidates and scrutineers will be required to provide proof of identity prior to entry. Entry will not be permitted before 7:45 pm. Any candidate or scrutineer who is creating a disturbance will be removed as directed by the Clerk. An additional area shall be provided for candidates, scrutineers and family and friends to gather.

No member of count staff, candidate or scrutineer shall, without permission from the Clerk, release details, including images or video, of the count process until such time as the Clerk announces the results of the election.

Count Methodology

Verification of vote by mail ballots shall commence promptly at 8 p.m., and continue until such time as all vote by mail ballots have been processed in accordance with the process described above.

Verification and counting of ballots from Polling Stations will commence once the first ballot boxes are returned to the Count Centre. The Clerk shall have the discretion to determine in which order the ballots from each Polling Station are verified and counted. In general, verification of the number of ballots from each polling station shall be completed prior to the counting of any ballots. However, the Clerk shall have the discretion to start the counting process prior to the completion of the verification process for all Polling Stations, should it be more efficient to do so.

Throughout this section, a reference to a ballot box from a Polling Station shall be understood to include ballot boxes containing vote by mail secrecy envelopes, unless specified otherwise.

All verification and counting of individual ballots shall be completed in full view of any candidates or scrutineers present in the Count Centre.

Verification of Ballots

The sealed ballot box from a polling station shall be opened by the Clerk or designate in full view of the Deputy Returning Officer from that polling station, and any candidates and scrutineers that are present. Should the ballot box have a candidate seal attached, the Clerk shall ensure that any candidate or scrutineer present is able to see that the seal is intact prior to opening.

Count Centre Staff shall be assigned to the verification of one polling station at any given time. The Clerk or designate will clearly identify to those present which staff are verifying ballots from each polling station by announcing the polling station as the ballot box is opened.

The Ballot Box shall be emptied onto the table in front of the Count Centre Staff, under the supervision of the Deputy Returning Officer from the polling station. The Clerk or designate shall ensure that the ballot box is empty, and show said empty box to any candidates or scrutineers present.

Ballots shall be separated by position (Mayor, Deputy Mayor, Councillor School Board Trustee(s)), and kept face down on the table in front of each member of staff. Once sorted by position, the piles shall be distributed to members of election staff by position. Ballots shall be counted face down, and split into batches of 20 and subsequently 100. Count staff shall also

ensure that the unique mark is present on the rear of all ballots, removing any ballots that do not contain the unique mark for review.

Once compiled, the ballot batches shall be provided to another member of Count Staff for checking.

Once the total number of ballots has been counted, the Deputy Returning Officer will complete the Verification of Ballots Form (Form MEL11) and present the form to the Clerk or designate. The Clerk or designate shall review the total number of ballots and ensure that it matches the Ballot Paper Account for that polling station.

If the number of ballots counted, does not match the number on the Ballot Paper Account, the ballots shall be counted again. If the number counted is the same for three consecutive counts, the Clerk shall mark the discrepancy on the Verification of Ballots Form, and inform the candidates present. Depending on the circumstance, the Clerk may require a batch count (totalling the number of batches of 20 and 100), require that each batch be counted to ensure that they are in batches of 20 and 100, or a full review of all ballot papers.

Verification of Unused, Cancelled and Declined Ballots

The Clerk or designate will review the unused, cancelled and declined ballots returned from each polling station to ensure that the relevant figures on the Ballot Paper Account are correct, prior to the conclusion of verification for that Polling Station.

Ballot Counting

Following verification, the ballots for each election race will be assigned to count staff, and shall be turned face up for sorting by candidate.

For election races where electors may only cast one vote (Mayor, Deputy Mayor, School Board Trustees), the Count Staff will divide the ballots into individual piles for each candidate. Once sorted, each pile will be counted and collated into batches of 20 and subsequently 100. The batches will then be transferred to a different member of election staff to recount.

For election races where electors could cast more than one vote, Count Staff will be provided with "counting sheets". The Count Staff will, in the verified batches of 20, transpose the votes from each ballot to a counting sheet, and total the number of votes on the counting sheet. The counting sheet shall be attached to the ballots, and provided to the Deputy Returning Officer. Once all ballots have been transposed, the Deputy Returning Officer will total the ballots from each counting sheet to form a grand total.

Ballots with an X or a tick shall be counted, providing they have the correct number of votes, or less than the maximum votes. Any other ballot, including blank ballots, shall be set aside for review, and processed in the manner described below.

For both methods, the Deputy Returning Officer shall perform whatever checks they deem necessary to be confident that the votes have been counted and bundled appropriately.

For all races, the Deputy Returning Officer will report the totals from the Polling Station to the Clerk for reconciliation. All counted ballots shall be placed, by candidate where possible, in a location visible to candidates and scrutineers, clearly identified by polling station.

Challenging Ballots

If a candidate or scrutineer believes that a mistake has been made, such as a ballot paper that has been missed, sorted incorrectly, or not counted, they should bring the matter to the attention of the Deputy Returning Officer. The DRO will then review the ballot, and may take any necessary action in accordance with these procedures.

Questionable Ballots

The Deputy Returning Officer shall review the ballots separated as questionable by the Count Staff, and may decide to allow certain ballots to be counted, where they believe the intent of the voter is clear. Any ballots that cannot be clearly resolved in this manner shall be provided to the Clerk. The Clerk and Deputy Returning Officer will review the ballots and make a determination. They shall then present any rejected ballots to the candidates present, explaining the reasoning for rejection. Blank ballots and over-vote ballots shall not be presented to candidates. The Clerk's decision on rejected ballots is final.

Rejected ballots shall be recorded as Spoilt Ballots, over-voted ballots or Blank Ballots. Spoilt ballots may include:

- Lack of unique mark;
- Ballots where the voter's intention is not clear;
- Ballots where the voter has voted for too many candidates (over vote);
- Ballots where the voter is identifiable;

- Torn or damaged ballots;
- Ballots showing evidence of alteration;

The Clerk shall mark each rejected ballot with the word "Rejected", and complete the "Statement of Rejected Ballots" (Form MEL12) for each Polling Station, including the number of rejected ballots in each identified category. The Statement shall be stored with the Rejected Ballots separately from the accepted ballots.

Reconciliation

Once the Clerk has been provided with results for each polling station, they shall reconcile the total number of votes plus the rejected ballots with the number of verified votes and the Ballot Paper Account.

Should the total number of votes not match the number of verified votes and the Ballot Paper Account, the Clerk shall instruct the Count Staff to count the ballots again. Depending on the circumstance, the Clerk may require a batch count (totalling the number of batches of 20 and 100), require that each batch be counted to ensure that they are in batches of 20 and 100, or a full review of all ballot papers.

Once all Polling Stations totals have been reconciled, the Clerk or designate shall calculate the final total of votes for each election race.

Declaration of Result

Once the results for a position have been totalled, the Clerk shall gather the candidates present for that position to share the totals with them. The Clerk shall then proceed to the public area of the Count Centre to announce the unofficial results for each race. Candidates shall be asked to join the Clerk in the announcement area, but not are required to do so.

After the results report has been compiled the Clerk and the candidates (or their scrutineers) present shall sign the report.

Section 11 Notice of Results

The unofficial results for each position shall be made available by the Clerk at the Meaford & St. Vincent Community Centre & Arena, and the Clerk shall post the same **Unofficial Results** on the Municipality's website, and on the external door of the Municipal Office (21 Trowbridge St. W.) as soon as possible.

As soon as possible after Voting Day, the Clerk shall declare the **Official Results** and post the results at the Municipal Office and on the municipal website.

Notice shall be provided to the County of Grey with regard to the final number of electors and elected persons to the positions of Mayor and Deputy Mayor who will be serving as County Councillors.

Notice of election results for each school board race shall be provided to the responsible Municipal Office for each of the elections.

Section 12 Recount

Recounts shall take place in accordance with the requirements of the Municipal Elections Act, the Municipality's Recount Policy (By-law 2022-01), and as ordered by Council, school board, or Superior Court of Justice.

Any required recount shall be conducted in the same manner as the original count unless order otherwise by a judge, in accordance with the Municipal Elections Act.

Costs of Recount (s.7(3), 7(4))

The costs incurred by the Clerk to conduct a recount are to be paid by the Municipality. Any expenses incurred by a candidate, such as legal representation, shall be the responsibility of the candidate.

The Clerk shall submit a signed certificate verifying the costs to the appropriate local board, upper tier municipality or Minister who shall in turn be responsible for paying the costs as soon as possible.

Who Conducts Recount (s.56)

The Clerk shall conduct all recounts for elections for which they are responsible except recounts ordered by the Superior Court of Justice upon appeal.

Notification of Recount (s.56, 57, 58 and O. Reg. 101/97)

The Clerk shall give notice of the recount date, time and place to the following:

- all certified candidates for the office which is the subject of the recount;
- where a resolution is involved, the Council or local/school board which passed the resolution;

- the Minister when an order has been made;
- the applicant in the case of a court order;
- notice of recount will be given by registered mail or personal service.

Persons entitled to be Present at a Recount (s.61)

- the Clerk and any other election official appointed for the recount;
- every certified candidate for the office involved or an appointed scrutineer;
- the applicant, if any, who applied for the recount under s.58 or an appointed scrutineer;
- legal counsel for any of the above.

Process at Recount (s.61, 62)

Once the recount process has commenced, it must continue to completion. Upon completion of the recount, the Clerk will announce the results of the recount. Persons authorized to be in attendance at the recount may also be at the announcement of the results of the recount.

Unless an application has been made for a judicial recount, the Clerk, on the 16th day after the recount is completed, will declare the successful candidate or candidates elected or will declare the result of the vote.

Votes for Candidates to be included in a Recount (s.56, 59)

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 for the same office. 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.

Continuing Tie Vote – After Recount Procedures

Pursuant to s.62(3) in a case of a tied vote following the recount, the Clerk shall determine the result by conducting a lot.

The Clerk shall write the name of each candidate on equal-sized pieces of paper. They are then put in a container as determined by the Clerk. The Clerk shall announce prior to the draw that “the candidate to be elected shall be the candidate whose name is written on the first piece of paper I draw out of the container.” The paper is pulled from the container and the candidate elected is announced.

Declaration by Clerk and Notice of Final Certified Results – s.62(4)

Unless an application has been made for a judicial recount, the Clerk on the 16th day after the recount is completed will declare the successful candidate or candidates elected by posting at the Municipal Office and on the website. Such Declaration shall be sent to everyone previously given notice of the recount.

Section 13 Candidate Financial Disclosure

At least 30 days before the filing date, but no later than March 1, 2023, the Clerk shall give to every candidate whose nomination was filed, by registered mail, notice of all the filing requirements and penalties set out in s.88.23 (2) and 92 (1).

The Returning Officer shall post all Candidate Financial Disclosures received by the filing date by 4:30 p.m. on March 31, 2023 on the municipal website for public viewing.

Candidates may request an extension to the filing date by paying the Late Filing Fee of \$500 to the Returning Officer.

A “Notice of Default” shall be given to the candidate by registered mail and to the relevant council or local board in the event that a candidate has not submitted the “Financial Statement” (Form 4) by 2:00 pm. on March 31, 2023.

Candidates should seek their own advice and counsel regarding campaign finances. A campaign period may be extended in keeping with the procedure and timeframes outlined in the Act.

Refund of Nomination Filing Fee (s.34)

A candidate is entitled to receive a refund of the nomination filing fee if the documents required under subsection 88.25(1) are filed on or before 2:00 p.m. on the filing date in accordance with that subsection.

Refunds will be processed by the end of the election year.

Section 14 Third Party Advertising

Third Party Advertisers are individuals, corporations or trade unions that support or oppose a candidate and distribute a message in any medium, such as, but not limited to, billboard, newspaper, radio, and paid internet advertising.

Registration

Third Party Advertisers must register with the Municipality before incurring any costs, or receiving any donations, related to the election campaign. Third Party Advertisers must submit Form 7 to the Returning Officer in order to register. Third Party Advertisers must also complete the "Declaration of Qualifications for Third Party Advertisers" (Form TPA01).

Forms 7 and TPA01 may be submitted at the Clerk's Office from Monday, May 2, 2022 to Friday October 21, 2022.

Campaign Period (s. 88.28)

Contributions can only be made to a registered third party for third party advertisements, and can only be made during the campaign period under section 88.12. A third party advertiser that is registered can only incur expenses during the campaign period. The campaign period is determined by the application of the following rules.

For the 2022 municipal election - the election campaign:

- begins on the day the third party registers for the election (registration must be certified by the Clerk); and
- ends on January 3, 2023.

If the third party advertiser becomes involved in a compliance audit after the campaign ends on January 3, 2023, the campaign may be recommenced. Once the third party advertiser notifies the Clerk in writing of the campaign period recommencement, the Clerk shall pay the third party advertiser any surplus being held in trust for the candidate, together with interest. Where the campaign period has recommenced, the third party advertiser may incur

expenses and accept contributions until June 30, 2023 or where an alternate provision of the Municipal Elections Act has been met under section 88.2(4).

Filing Requirements (s. 88.29, s. 88.30)

All registered third parties are required to file a financial statement using the prescribed form (Form 8). Candidates, whose campaign contributions and total expenses are each equal to or less than \$10,000, are not required to file an auditor's report with the financial statement. A registered third party whose campaign contributions in the municipality exceed \$10,000 or whose total campaign expenses exceed \$10,000 are required to file an auditor's report with the financial statement.

The registered third party must file their financial statements and auditor's report in the prescribed forms by 2:00 p.m. on March 31, 2023 for the filing period ending January 3, 2023.

If a third party advertiser filed their financial statement prior to the filing date, and then noticed an error, they can withdraw the statement and refile the financial statement and auditor's report by March 31, 2023.

Third party advertisers also have a maximum amount for parties and volunteer recognition after Voting Day. For the 2022 election, the prescribed formula will use the number of electors on Nomination Day from the 2018 election. The Clerk is to calculate the maximum amount no later than September 26, 2022. When a third party originally registers, the Clerk is to provide a certificate setting out the maximum amount for parties etc. after Voting Day.

Application by Third Party for Extension of Filing Date (s. 88.27(3))

The registered third party may before the last day for filing a financial statement under section 88.30, apply to the Ontario Court of Justice to extend the time for filing the document. The court may grant an extension of up to 90 days. The third party shall notify the Clerk in writing before 2:00 p.m. on the last day for filing a financial statement under s.88.29 or 88.32 that an application has been made.

Clerk to Give Notice (s.88.29)

The Clerk shall give notice of all of the filing requirements and of the penalties under section 88.27(1) and s.92(4) to every third party at least 30 days before the filing date. Before Voting Day, the Clerk is also required under section 33.1 to give notice of the penalties related to election campaign finances.

Campaign Period (s.88.28)

If the third party advertiser has a deficit at the time the election campaign period would otherwise end and the third party advertiser has notified the Clerk in writing on or before January 3, 2023, the campaign period is extended until the earliest of:

- June 30, 2023.
- The day the third party notifies the Clerk in writing that he, she or it will not accept further contributions.
- The day A equals the total of B and C, where
 - A = any further contributions.
 - B = the expenses incurred during the extension of the campaign period.
 - C = the amount of the registered third party's deficit at the start of the election campaign period.

Supplementary Reporting Periods/Filing Dates (s. 88.30)

Supplementary filing dates apply where the election campaign period has been extended. The supplementary reporting period is the 6 month period following the year of the election or in the case of a by-election, the supplementary reporting period is the 6 month period following the 45th day after Voting Day.

Where a third party advertiser campaign period continues, he, she or it shall file a supplementary financial statement (including auditor's report if required) for the supplementary reporting period on or before 2:00 p.m. on the last Friday in September (September 29, 2023). It should be noted that even if a campaign has been extended, a third party advertiser is required to file the initial financial statement for the reporting period ending December 31, 2022.

Campaign Surplus (s. 88.31)

Where a third party advertiser's financial statement (or supplementary financial statement) indicates an election campaign surplus at the end of the campaign period, the entire surplus amount shall be paid to the Clerk at the time of filing and the Clerk shall hold the monies in trust. If the registered third party subsequently incurs expenses related to a compliance audit, the Clerk shall pay the amount held in trust, with interest, to the third party, MEA. s.88.32.

The surplus becomes the property of the municipality/local board when all of the following conditions are satisfied:

- The campaign period has ended under s.88.28;
- It is no longer possible to recommence the campaign period (s.88.28);
- No compliance audit proceeding has been commenced; and
- The period for commencing a compliance audit proceeding has expired.

Third Party Filing Default (s.88.27(1))

A registered third party cannot participate in the next regular election if;

- They did not file their financial statement;
- There was a surplus and this surplus was not paid to the Clerk;
- The financial statement shows that the third party advertiser exceeded their expense limit; or
- If a document filed under s.88.32 has a surplus and the third party registered has not paid the surplus to the Clerk by the relevant date.

Clerk to Give Notice of Default (s. 88.27(2))

The Clerk is required to notify the registered third party in writing that a default has occurred and the nature of the default. The Clerk also has to make this information public.

Section 15 Election Records

Candidates

All voter information obtained by candidates during the 2022 Municipal Election shall be destroyed after the election and confirmed in writing to the Clerk. The candidate may return documents to the Clerk for destruction with other election material.

Clerk – Disposition of Records (s.88)

The Clerk shall destroy the ballot 120 days after the official declaration of results in the presence of two witnesses, unless a Judge's order or recount request has been received. The witnesses shall complete the "Witness Statements as to Destruction of Records" (Form MEL10). The Clerk may also destroy any other documents and materials related to the election, in accordance with the Municipality's Records Retention By-law.

The Clerk shall retain candidates' financial statements and auditor's report until the members of the council or local board elected at the next regular election have taken office. The ballots and any other documents shall not be destroyed if a court orders that they be retained and a recount has been commenced and not finally disposed of.

Section 16 Accessibility

The Clerk shall have regard to the needs of electors and candidates with disabilities.

Report

Prior to Voting Day, the Clerk shall prepare a plan for the identification, removal and prevention of barriers that affect voters and candidates with disabilities and make the plan available to the public.

Within 90 days after Voting Day in a regular election, the Clerk shall submit a report to Council about the identification, removal and prevention of barriers that affect electors and candidates with disabilities.

Section 17 Emergencies

The Clerk may declare an emergency if 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 deemed 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.

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.

The Clerk shall provide notice of such emergency to the best of their ability and in keeping with the circumstance. If required, the Clerk may consider alternate options for any part of the election process.

Section 18 Corrupt Practices

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

Offences, Penalties and Enforcement (s.89 and 90)

The principles and the integrity of the election process are enforceable. Section 89 of the Act provides for penalties and enforcement of corrupt practices and other offences during an election process. These include a person who:

- votes without being entitled to do so;
- votes more times than this Act allows;
- induces a person to vote when that person is not entitled to do so;
- before or during an election, publishes a false statement of a candidate's withdrawal;
- furnishes false or misleading information to a person whom this Act authorizes to obtain information;
- without authority, supplies a voter credentials/ballot to anyone;
- takes, opens or otherwise deals with a ballot without having authority to do so; and
- deals with voter credentials/ballot, without having authority to do so.

No person shall solicit a Voter Information Letter containing voter credentials from an eligible elector. All valid complaints or knowledge of solicitation shall be reported immediately for investigation of corrupt practices. If a person is convicted of an offence and the offence was committed knowingly, the offence also constitutes a corrupt practice.

Notice of Penalties

Section 88.19 of the Municipal Elections Act outlines the details of expenses a candidate may incur. Pursuant to Section 88.20(13), within 10 days after the Clerk has made corrections to the Preliminary List of Electors received from MPAC, the Clerk will calculate the maximum permitted expenses for each office and will provide a Certificate of the applicable maximum to each candidate.

Section 88.25(1) of the Municipal Elections Act states that "on or before 2 p.m. on the filing date, a candidate shall file with the Clerk with whom the nomination was filed a financial statement and auditor's report, each in the prescribed form, reflecting the candidate's election campaign finances,

- in the case of a regular election, as of December 31 in the year of the election; and
- in the case of a by-election, as of the 45th day after voting day."

Section 88.31 of the Municipal Elections Act outlines details of a candidate's "surplus" if contributions exceed expenses and a candidate's "deficit" if the reverse is true.

Section 88.23(1) of the Municipal Elections Act provides that a candidate is subject to the penalties listed in Subsection (2), in addition to any other penalty that may be imposed under this Act, if,

- a) if the candidate fails to file a document as required under section 88.25 or 88.32 by the relevant date;
- b) if a document filed under section 88.25 shows on its face a surplus, as described in section 88.31, and the candidate fails to pay the amount required by subsection 88.31 (4) to the clerk by the relevant date;
- c) if a document filed under section 88.25 shows on its face that the candidate has incurred expenses exceeding what is permitted under section 88.20; or
- d) if a document filed under section 88.32 shows on its face a surplus and the candidate fails to pay the amount required by that section by the relevant date.

Section 88.23(2) of the Municipal Elections Act provides for the following penalties in the case of a default described in subsection (1):

- a) the candidate forfeits any office to which he or she was elected and the office is deemed to be vacant; and
- b) until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which this Act applies.

Section 92(1) of the Municipal Elections Act provides that a candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this Act, is subject to the penalties described in subsection 88.23 (2),

- a) if the candidate incurs expenses that exceed the amount determined for the office under section 88.20; or
- b) if the candidate files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section.

Mail Tampering - Criminal Offence and Prosecution

Notification of the vote by mail process and how electors can vote will be provided in the Vote by Mail Kit issued to those electors who have registered for Vote by Mail.

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

As such and in order to ensure the integrity and confidence of the voting process for all electors and the candidates, the Clerk in this alternative form of voting has agreed that all complaints about actions which may contravene the provisions of the Criminal Code of Canada with respect to mail tampering will be reported to the Police.

Section 19 Discretionary Powers of the Clerk (s.12)

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

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

Other than the forms prescribed by the Minister, the Clerk has the authority to establish forms, including forms for oaths and declarations that are required to be used. The Clerk's authority also includes the power to require a person to furnish proof that is satisfactory to the election official as to the person's identity or qualifications including citizenship or residency.

The Clerk's authority does not include the power to require a person for the purposes of the procedure set out in s.52(1) – (Voting Procedure) to furnish proof of identity and residence in addition to what is prescribed. The discretionary authority provided to the Clerk in the MEA brings with it a degree of risk and inherent liability.

Under the revised MEA, Clerks have expanded powers/discretion, where no Council approval is required in the following areas:

- establishment of advance voting dates, locations and hours;
- establishment of reduced voting hours at long term care facilities;
- management of the Voters' List (additions/deletions/modifications);
- determination of whether filing of financial statements electronically will be permitted and any conditions or limits associated with electronic filing; and
- authority to develop a policy and present to Council for adoption of a by-law by May 1 of an election year to define circumstances under which a recount would be conducted.

