



## **2022 MUNICIPAL ELECTION PROCEDURES**

Approved by the  
Clerk / Returning Officer of  
The Town of Wasaga Beach  
this 19th day of April, 2022

Subject to change at any time, up to and including Election Day  
at the discretion of the Clerk/Returning Officer

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## Clerk's Introduction to the 2022 Election Procedures Manual

The *Municipal Elections Act*, 1996 (MEA), gives authority to the Clerk, as Returning Officer, to establish procedures and forms for voting and vote-counting equipment within the municipality. The Act further gives authority to the Clerk to provide for any matter or procedure that is not provided for in the Act.

This document establishes the procedures for the 2022 Municipal and School Board Elections through the methods of Internet Voting and Traditional Ballots with Tabulators consistent with the MEA, and is subject to change at the discretion of the Clerk if, in the opinion of the Clerk, such change is necessary or desirable for conducting the election.

The contents of this document are intended only as a guide to certain provisions of relevant legislation and is not intended to recite all applicable statutory references. Potential candidates must satisfy themselves through their own determination that they have complied with the pertinent sections of the MEA, and that they are in fact qualified by law to seek elected office.

The Clerk shall provide a copy of this manual to registered Candidates. In the event that an amendment to these procedures is made, every registered Candidate shall be provided with a copy of the said amendment, delivered by email.

The Clerk shall delegate duties in writing to Election Officials as required to assist in the administration, management, security and control of the Municipal Election. The Clerk may appoint personnel as required. All Election Officials are required to be appointed through the appropriate form and take the necessary oath.

With respect to matters of policy and procedures for alternative voting methods and all other Municipal Election matters, the decision of the Clerk is final. If there are any questions or concerns regarding the policies and procedures, individuals are encouraged to address them with the Clerk, or designate.

It is expected that Election Officials, Candidates, and all other stakeholders will work together to ensure that the integrity of the process is maintained.

Information will continue to be posted on the town's election page, individuals may subscribe to this page for updates:

<https://www.wasagabeach.com/en/town-and-government/elections.aspx>

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## Contents

GUIDING PRINCIPLES.....	5
DEFINITIONS .....	5
VOTER INFORMATION.....	7
Voter Qualifications.....	7
Person Prohibited from Voting .....	7
Students.....	7
People without Housing .....	7
Getting on the Voters' List.....	8
Online Voter Services .....	8
CANDIDATE INFORMATION AND NOMINATIONS.....	9
Running for Council .....	9
Running for School Board.....	9
Nomination Period and Filing.....	10
Municipal Employees Running for Office .....	11
Filing by Agent.....	12
Acceptable Photo Identification.....	12
Candidate Names .....	13
Acclamations.....	13
Certification or Rejection of Nominations .....	13
Withdrawal of Nominations .....	14
Death or Ineligibility of a Candidate .....	14
Prohibition of Canvassing/Advertising at Voting Locations .....	14
Use of Municipal Resources .....	15
Scrutineers.....	15
Election Signs .....	16
Access to the Voters' List.....	16
Campaign Finances.....	17
Candidate Bank Account.....	17
Candidates' Campaign Expense Limit .....	17
Financial Statements and Filing Requirements.....	18
Key Dates Regarding Financial Statements.....	19
THIRD PARTY ADVERTISER INFORMATION.....	20
Registration.....	20

Financial Statements and Filing .....	20
VOTING .....	21
Voting Locations, Dates, and Times .....	21
Paper Ballots with Tabulators .....	21
Internet Voting Period .....	21
Internet Voting Help Centres.....	21
Drive-Thru Voting Assistance.....	22
Retirement Home Voter Assistance:.....	22
Voter Information Letters .....	22
Replacement PINS .....	23
Internet Voting Process.....	24
System Integrity .....	24
Paper Ballots with Tabulators Voting Process .....	25
Voter Assistance .....	25
ELECTION ADMINISTRATION.....	26
Clerk's Authority.....	26
Secrecy.....	26
Review of Financial Statements.....	26
Clerk's Report .....	27
Disposition of Records .....	27
Accessibility .....	27
Election Day.....	28
Results of the Election .....	28
Recount .....	28
Emergencies.....	29
Forms.....	29

## GUIDING PRINCIPLES

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The [Municipal Elections Act, 1996](#) (MEA), applies to and governs municipal elections in the Town of Wasaga Beach and is based on the following principles:

- The secrecy and confidentiality of individual votes is paramount
- The election should be fair and non-biased
- The election should be accessible to all voters
- The integrity of the process should be maintained throughout the election
- There be certainty that the results of the election reflect the votes cast; and
- Voters and candidates should be treated fairly and consistently within a municipality

## DEFINITIONS

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**Advance Voting** means the period in which an eligible voter may cast their vote prior to Election Day. In the case of Internet Voting, advance voting means the entire voting period October 3, 2022 to October 24, 2022. In the case of Paper Ballot Voting, advance voting means specific dates as set by the Clerk.

**Ballot** means either an image on a computer screen, or any web enabled device including all choices available to the electors and containing spaces in which the electors mark their votes; or a piece of paper on which the elector will indicate their choice of candidates in a secret vote.

**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 Town of Wasaga Beach who is responsible for conducting this election under the authority of the Municipal Elections Act, 1996, as amended. (*This legislation provides that the Clerk of a municipality may provide for any matter that is not otherwise provided for in an Act or regulation and is, in the Clerk of the municipality's opinion, necessary or desirable - Section 12 of the Municipal Elections Act*)

**Election Day / Voting Day** means the fourth Monday in October of an election year. Election Day for the 2022 Municipal Election is Monday, October 24, 2022.

**Election Official** means the Clerk or other person(s) appointed in writing by the Clerk to carry out election duties under the Municipal Elections Act, 1996. 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 / Eligible Voter** means a person who is qualified to vote at an election held in the local municipality, if on voting day meets the qualifications outlined in Section 17(2) and 17(3) of the Municipal Elections Act, 1996.

**Library** means the Town of Wasaga Public Beach Library located at 120 Glenwood Drive, Wasaga Beach, Ontario L9Z 2K5.

**MPAC** means the Municipal Property Assessment Corporation (MPAC).

**Municipal Elections Act (MEA)** means the Municipal Elections Act, S.O. 1996, c. 32, as amended.

**Municipal Office or Town Hall** means the Town of Wasaga Beach Municipal Offices located at 30 Lewis Street Wasaga Beach, Ontario, L9Z 1A1.

**Normal Business Hours** means the time between 8:30 a.m. and 4:30p.m. Monday through to and including Friday, excludes statutory holidays.

**Personal Identification** means the identification required under the Municipal Elections Act to provide proof of identity and residence of an individual to the satisfaction of an Election Official.

**Personal Identification Number (PIN)** means a unique multiple digit number assigned by the internet voting provider to each authorized user to provide additional security for access to the voting system.

**Preliminary List of Electors (PLE)** means a list of Eligible Voters for the Town of Wasaga Beach compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the Town between July 31 and September 1 of an election year as agreed upon by MPAC and the Clerk.

**RecPlex** means the RecPlex Community Centre multi-use building located at 1724 Mosley Street, Wasaga Beach, Ontario L9Z 1Z8

**Voter Information Letter (VIL)** means a letter that is sent to every elector whose name appears on the PLE and contains voting instructions.

**Voter's List** means the Preliminary List of Electors, as corrected by the Clerk, under the provision of Section 22 of the Municipal Elections Act.

**Website** means the Town of Wasaga Beach website [www.wasagabeach.com](http://www.wasagabeach.com)

## VOTER INFORMATION

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### Voter Qualifications

A person is entitled to be an elector at an election held in a local municipality (unless prohibited by the Municipal Elections Act or any other Act), if, on Voting Day (**Monday, October 24<sup>th</sup>, 2022**) they are:

- A Canadian citizen;
- At least eighteen (18) years of age;
- A resident in the Town of Wasaga Beach; or the owner or tenant of land, or the spouse of such a person; and,
- Not prohibited from voting as noted below or otherwise, by law.

**It is the responsibility of the elector to ensure they are qualified.**

### Person Prohibited from Voting

The following are prohibited from voting:

- A person who is serving a sentence of imprisonment in a penal or correctional institution;
- A Corporation;
- A person acting as an executor or trustee or in any other representative capacity; and,
- A person who was convicted of a corrupt practice.

### 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.

### People without Housing

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

- The place in which the person most frequently returned to sleep or eat during the five weeks preceding the determination;
- If a person returns with equal frequency to one place to sleep and another to eat, the place in which they sleep.
- 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.

## Getting on the Voters' List

Voters are encouraged to confirm or update their information on [voterlookup.ca](http://voterlookup.ca) at any time, up until July 21, 2022. MPAC provides this website to gather information prior to delivering the Preliminary List of Electors (PLE) to the municipality by August 2, 2022, after which the Clerk corrects obvious errors using information held by the municipality.

Under Section 22 of the MEA , the clerk may correct any obvious error in the preliminary list, and the clerk may do so using any information that is in the local municipality's custody and control. This information is deemed to have been collected for the purposes of correcting errors in the preliminary list.

By September 1, 2022, the clerk produces the voters' list. Eligible voters can attend the municipal office to confirm and update their information with an Election Official, using the prescribed forms and providing the required identification.

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

Form – Voter Identification (Form WB40)

Form – Declaration of Identity (Form 9)

## Online Voter Services

**Online Voter Services** will also be offered in the 2022 municipal election. With the proper documentation, voters will be able to remotely add or delete a person from the list, confirm or update their information **online** through the Municipal VoterView Online Voter Services module without attending the municipal office or voting location. This service will be available up until and including Election Day, prior to 8:00 p.m.

Information on this service will be posted on the town's website as soon as it is available.

<https://www.wasagabeach.com/en/town-and-government/elections.aspx>

## CANDIDATE INFORMATION AND NOMINATIONS

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### Running for Council

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

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

- A Canadian citizen
- At least 18 years of age
- A resident of the Town of Wasaga Beach or own or lease property (or be the spouse of the owner or lessee) in the Town of Wasaga Beach
- Not legally prohibited from voting
- Not disqualified by any legislation from holding municipal office
- Obtain at least 25 signatures from individuals eligible to vote in Wasaga Beach on the day they signed the endorsement

A person may be nominated for an office if he or she is qualified to hold that office under the MEA and they are not disqualified for violations of financial requirements or violation of requirements for filing financial information, and they are not disqualified by any legislation from holding municipal office.

Candidates must maintain their eligibility throughout the campaign period and, if elected, throughout the term of council.

Nominations will be accepted for the following offices:

- Mayor – 1 to be elected
- Deputy Mayor – 1 to be elected
- Councillor - 5 to be elected

### Running for School Board

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

To run for School Board Trustee the person must be:

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

English-Language Public District School Board Candidate must:

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

English-Language Separate District School Board Candidate must be 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

Conseil scolaire Viamonde (French-Language Public District School Board) 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.

Conseil scolaire catholique MonAvenir (French-Language Separate District School Board) Candidate must be Roman Catholic and a French-language rights holder (see the Charter 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.

## Nomination Period and Filing

Every person who proposes to be a candidate must file nomination papers prior to receiving any campaign contributions and prior to expending any funds on a campaign. The Nomination period starts on **Monday, May 2<sup>nd</sup>, 2022** and ends on **Friday, August 19<sup>th</sup>, 2022 (Nomination Day) at 2:00 p.m.**

Those filing nomination papers are asked to make an appointment with the Clerk's Office to register as a candidate. This will allow for proper registration time to review the package and answer any candidate questions.

Nominations must be made at the Clerk's Office (Town Hall) and **will be accepted if an appointment has been made**:

- using the prescribed Nomination Paper;
- in person by the nominee or the nominee's agent;
- with the prescribed nomination filing fee (\$200.00 for Mayor, \$100.00 for all other offices), in cash, by debit, by certified cheque or money order.
- with the Endorsement of Nominations for Council form endorsed by a minimum of 25 persons eligible to vote in Wasaga Beach in a regular election;

- with proof of identity and residence;
- Such other documentation as required for the filing process.

Form – Nomination Paper (Form 1)

Form – Endorsement of Nomination (Form 2)

**\*\* No faxed or electronically transmitted nomination paper will be accepted.**

The onus is on the person nominated to file a bona fide nomination paper.

Responsibility for the accuracy of the information provided on the nomination rests with the Candidate.

Nominations will be accepted during Normal Business Hours from May 2, 2022 to August 18, 2022. On **Nomination Day, August 19, 2022**, nominations must be filed between **9:00 a.m. and 2:00 p.m.**

**On Nomination Day, August 19, 2022**, prospective candidates arriving to file nomination papers between 1:30 p.m. and 2:00 p.m. **must** have attended the service counter at the south end of the main floor of Town Hall closest to the Council Chambers, and have their nomination paper **date and time stamped by an Election Official by the 2:00 p.m. deadline.**

**\*\* Nomination papers will not be accepted after the deadline.**

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/board unless changing offices.

**Once filed, nomination papers remain in the possession of the Clerk and may be open for inspection by any member of the public, and posted publically for election purposes.**

An unofficial list of candidates will be posted on the town's website as soon as practicable following close of nominations.

Form – Unofficial List of Candidates (Form WB41)

## **Municipal Employees Running for Office**

If you are an employee of a municipality, and you wish to run for office on that municipality's Council, you must take a leave of absence before you file your nomination

form. If you are elected, you must resign from your job. You cannot work for a municipality and be on its council at the same time.

If you are an employee of a municipality, and you wish to run for office in a different municipality, you do not have to take a leave of absence or resign. However, you may wish to check with the Town Clerk to see if there are any policies in place that could affect you.

## Filing by Agent

In the event that an Agent attends the Municipal Office to file a Candidate's nomination paper, the formal requirements listed in above in the **Nomination Period and Filing** section remains the same. An appointment is still required.

Both the Nomination Paper and the Declaration of Qualification shall have been previously signed by the Candidate and duly commissioned by a Clerk or a Commissioner in the Province of Ontario. The name of the Clerk or the Commissioner, the firm in which the Commissioner was acting on behalf of, must be legible in order to verify validity of the form.

The Agent must further present an original document signed by the Candidate providing authority to the Agent to act on his/her behalf for the purpose of filing the Nomination Paper. The original of this authorization shall be kept with the Nomination Paper in the Clerk's Office and a copy may be provided to the Agent.

Photo Identification for the Candidate is required to be provided by the Agent when filing Nomination Papers for a Candidate. Refer to section below, **Acceptable Photo Identification**, for acceptable documents.

**Note:** Photocopy of identification will be kept with the original Nomination Form.

## Acceptable Photo Identification

An **original** of one or a combination of the following (must show the person's name, photograph, qualifying address, date of birth and signature):

1. An Ontario Driver's Licence.
2. An Ontario Health Card (photo card).
3. An Ontario Photo Card.
4. A Canadian Passport.
5. Canadian Citizenship

**Note:** The Clerk has the right to ask for additional documentation or identification to prove a candidate's qualification.

## Candidate Names

The following rules shall apply regarding candidate names:

- If the candidate wishes and the Clerk agrees, another name that the candidate also uses may be used instead of or in addition to their 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 names of two or more candidates for an office are identical or in the Clerk's opinion so similar to cause possible confusion, each candidate's qualifying address shall appear under his or her name on the ballot.

## 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 22<sup>nd</sup>, 2022 at 4:00 p.m.

Form – Declaration of Acclamations to Office (Form EL20)

## Certification or Rejection of Nominations

Under the MEA, the Clerk is required to reject or certify nominations of candidates. On or prior to 4:00 p.m. on August 22, 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 MEA, the Clerk will certify the nomination paper.

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

- The candidate has refused or declined to provide proof of qualification or identification suitable to the Clerk.
- The candidate does not satisfy the requirements of the *MEA* (the candidate is not qualified to hold office, or is otherwise prohibited by law from being nominated).
- The nomination form is not complete in its entirety or the prescribed filing fee has not been paid.
- The candidate's name does not appear on the Voters' List.
- The necessary financial statement was not filed for any office in the previous regular election or any new election in which the individual may have been a candidate.

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

It is the responsibility of the candidate to ensure that they meet all of the qualifications and file proper nomination papers prior to 2:00 p.m. on Friday, August 19<sup>th</sup>, 2022.

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.

#### **Form – List of Certified Candidates (Form EL07)**

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 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 24<sup>th</sup>, 2022).

#### **Withdrawal of Nominations**

An individual may withdraw their nomination by filing a written withdrawal in the Clerk's Office before **2:00 p.m. on August 19, 2022**.

#### **Form – Withdrawal of Nomination (Form EL19)**

#### **Death or Ineligibility of a Candidate**

If a certified candidate for an office, before the close of voting on voting day, dies or becomes ineligible to hold office:

- a) If no candidate would be elected by acclamation as a result of the death or ineligibility,
  - i) The election shall proceed as if the candidate had not been nominated, and,
  - ii) The Clerk shall omit the candidate's name from the ballots or, if they have already been printed, shall cause notice of the candidates' death or ineligibility to be posted in every voting place;
- b) If another candidate would be elected by acclamation as a result of the death or ineligibility, the election is void and a by-election shall be held to fill the office.

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

The Municipal Elections Act provides that while an Elector is in a voting location, 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 the voting location or municipal facility, including parking areas.

The voting location is 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.

## Use of Municipal Resources

The use of municipal resources for election campaign purposes is strictly prohibited. Corporate resources include municipal logos/corporate images, Chain of Office, corporate crest, photos, municipal uniforms, graphics or any other item of Town intellectual property. These items are prohibited from use for any campaign-related purposes or materials including, but not limited to, signs, printed and electronic publications, flyers, brochures, e-mail, website, business cards, postcards, letterheads, leaflets, posters, magnets and promotional items.

For more information, please refer to the Town's website for the [Use of Corporate Resources Policy](#).

## Scrutineers

Each Candidate may appoint, in writing on the prescribed form, person(s) to act as scrutineers to represent them during the voting process by their attendance at the voting location(s).

### Form – Appointment of Scrutineer by a Candidate (Form EL12A)

A person appointed as a scrutineer, prior to being admitted to observe the election process, shall show their appointment in the prescribed form and valid acceptable identification. The scrutineer will be issued an **identification badge** which must be returned to the Deputy Returning Officer before leaving.

Not more than **one candidate or one scrutineer** representing each candidate may be in the voting location at any time. All scrutineers must take and subscribe to an Oath of Secrecy.

### Form – Oral Oath of Secrecy (Form EL12B)

There are no age restrictions to be a scrutineer, nor any provision that a scrutineer cannot be related to the candidate who made the appointment.

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;
- Attempting to cause a disturbance at a voting place or within the Voting Location;

- 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;
- Obtaining or attempting to obtain, in a Voting Location, any information about how an elector intends to vote or has voted;
- interfering, or attempting to interfere, with an Elector who is marking a ballot;
- attempting to use a cell phone or electronic recording device within the Voting Location.

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

Any person who creates a disturbance or interferes in any way with the proper conduct at a voting location, may be expelled from the location for such actions.

Scrutineers and/or candidates wishing to observe the final count must be at the RecPlex prior to 8:00 p.m. on Election Night. No one will be admitted into the space where the final count takes place after 8:00 p.m.

## **Election Signs**

The Town of Wasaga Beach's Sign By-law 2021-68 provides the regulation of municipal election signs. Candidates, Third Party Advertisers and electors should review the By-law to ensure compliance. A copy can be found on the Town's website at [www.wasagabeach.com](http://www.wasagabeach.com).

## **Access to the Voters' List**

Upon written request to the Clerk, a copy of the Voter's List shall be provided to:

- The secretary of a local Board any of whose members are to be elected in this election;
- The Clerk of the local municipality responsible for conducting the elections in any combined area for school board purposes;
- The Clerk for the County of Simcoe;
- The Minister;
- **Candidates** through the VoterView Candidate Module only;
- MPs or MPPs who represent any part of the Town of Wasaga Beach

Candidates will be provided access to the voters' list through Municipal VoterView's **Online Candidate Module**. This module is a self-serve web-based tool where

candidates can view real-time data for voters through a basic search capability. The Voter's List may only be used for election purposes. Access will not be granted until the Candidate's Declaration – Proper Use of the Voter's List is executed and filed with the Clerk.

Form – Candidate's Declaration – Proper Use of Voters' List (Form EL14)

## Campaign Finances

### Candidate Bank Account

You must open a bank account exclusively for your campaign if you accept any contributions of money (including contributions from yourself or your spouse) or incur any expenses. You cannot use your personal bank account for campaign finances, even if you are planning a very small campaign. All contributions—including contributions you make to yourself—must be deposited into the campaign bank account. All expenses must be paid for from the campaign account.

### Candidates' Campaign Expense Limit

In accordance with Section 88.20 of the *MEA*, the Clerk will determine the maximum campaign expense limits a candidate may spend on his or her campaign. The preliminary expense limits will be based on the number of eligible electors from the Municipal Property Assessment Corporation (MPAC) as of March 3, 2022, rounded down to the nearest hundredth. Upon filing of Nomination Papers, candidates will be provided the Preliminary Certificate of Maximum Campaign Expenses.

No later than September 25<sup>th</sup>, 2022, the Clerk shall provide each Candidate, via e-mail, with a Certificate of Maximum Campaign Spending Limit that can be incurred using the number of electors for each respective office.

Form – Preliminary Certificate of Maximum Campaign Expenses (Form EL37)

- Campaign Spending Limits – O.Reg. 101/97
- Contributions Candidate's Own Campaign – Section 88.9.1(1) MEA
- Expenses for Parties – O.Reg. 101/97

Information regarding election finances and campaign contributions, including financial responsibilities of candidates, campaign contributions/fundraising, campaign expenses and financial reporting is available in the Ministry of Municipal Affairs' Candidates' Guide for Ontario Municipal and School Board Elections. This and other documentation can be found on the Ministry of Municipal Affairs and Housing website:

<https://www.ontario.ca/page/ministry-municipal-affairs-housing>

The below information is provided for convenience only:

- Corporations and trade unions that hold bargaining rights for employees in Ontario are prohibited from contributing to an individual campaign. A corporation or trade union that contravenes the campaign financing provisions of the MEA, is liable to fines up to \$50,000. These types of organizations may contribute to registered third party advertisers' campaigns.
- Candidates will be required to inform contributors of the contribution limits. A contributor is limited to a total of \$1,200 to any one candidate in an election and \$5,000 to two or more candidates for office on the same council or local board.
- An individual, including the candidate, who contravenes the provisions of the MEA, is liable to fines of up to \$25,000.
- Candidates are required to open a separate bank account. If they receive contributions (including donations, spouse or themselves) or incur expenditures related to their campaign, these must be reflected in their account statement.

## **Financial Statements and Filing Requirements**

**By March 31, 2023 at 2:00 p.m.**, all candidates are required to file a financial statement using the prescribed form. **Electronic submissions will not be accepted**. The received financial statements will be publically disclosed through the town's [website](#).

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 by the deadline. If a Candidate doesn't file their financial statement on time and pays 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.

- Form – Notice to Candidate of Filing Requirements (Form EL42)
- Form – Financial Statement – Auditor's Report Candidate (Form 4)
- Form – Financial Statement – Subsequent Expenses (Form 5)
- Form – Notice of Extension of Campaign Period (Form 6)

There are penalty provisions in the MEA that are applicable to candidates who fail to meet the disclosure and reporting requirements. In accordance with the MEA, the Clerk shall before Voting Day, notify all candidates of the penalties under section 88.23 (2) and 92(1) related to election campaign finances.

- Form – Notice to Candidate of Penalties (Form EL42A)

A Notice of Default will be issued to the Candidate if the Financial Statement is not submitted by the deadline. If a Candidate fails to pay 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 has taken place.

- Form – Notice of Default – Candidate (Form EL43)

## Key Dates Regarding Financial Statements

December 31, 2022	Deadline for Candidate to provide written notice to the Clerk of deficit and continuation of campaign period
January 3, 2023	End of campaign period
March 30, 2023	Last day for Candidate to apply to the Ontario Court of Justice to extend the time to file their financial statement (maximum 90 days)
March 31, 2023	Deadline for filing financial statements at 2:00 p.m. * The Clerk must be advised, in writing by 2:00 p.m., if any Candidate has applied to the Ontario Court of Justice for an extension of the filing deadline.
April 3, 2023	Clerk to post financial statements on the Town website at <a href="http://www.wasagabeach.com">www.wasagabeach.com</a>
May 1, 2023	Last day for Candidate who violated the deadline for filing their financial statements to file along with a \$500 fee to avoid penalties
May 2, 2023	First day the Clerk will publish a report of which Candidates complied with filing deadlines
June 29, 2023	Last day for compliance audit requests for the January 3, 2023 reporting period.
June 30, 2023	End of supplementary campaign period
September 28, 2023	Last day for Candidate to apply to the Ontario Court of Justice to extend the time to file their supplementary financial statement (maximum 90 days)
September 29, 2023	Deadline for filing supplementary financial statements for supplemental reporting period ending June 30, 2023 * The Clerk must be advised, in writing by 2:00 p.m., if any Candidate has applied to the Ontario Court of Justice for an extension of the filing deadline
October 2, 2023	Clerk to post supplemental financial statements
October 30, 2023	Last day for Clerk to review supplementary financial statements and report on any that exceeded the limits.
December 28, 2023	Last day for compliance audit requests for the June 30, 2023 reporting period.
<b>Note:</b> See the <b>Election Administration</b> section for the Clerk's responsibilities with respect to review of and reporting on Financial Statements.	

## THIRD PARTY ADVERTISER INFORMATION

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### Registration

Third party advertising refers to advertisements or other materials that support, promote or oppose a candidate, or support, promote or oppose a “yes” or “no” answer to a question on the ballot. Third party advertising is separate from any candidate’s campaign, and must be done independently from a candidate.

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 where they wish to advertise in.

Third Party Advertisers may register with the municipality starting on May 2, 2022 and until October 21, 2022 during office hours using the prescribed form. 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 (Council, and School Board Trustee positions).

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

Form – Declaration of Qualifications – Third Party (Form WB52)

### Financial Statements and Filing

Financial statements of the Third Party Advertisers are required to be submitted to the Clerk of each municipality registered in by March 31, 2023. There is a 30-day grace period for Third Party Advertisers who miss the deadline to file a financial statement and auditor’s report, provided that the Third Party Advertiser pays a \$500 late filing fee to the municipality. The MEA prescribes penalties for not filing financial statements on time.

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

Form – Notice to Registered Third Party of Filing Requirements (Form EL42B)

Form – Notice of Default – Third Party Advertiser (Form EL43B)

Information regarding election finances and campaign contributions, including financial responsibilities of third party advertisers and financial reporting is available in the Ministry of Municipal Affairs’ Guide for Third Party Advertisers. This and other documentation can be found on the Ministry of Municipal Affairs and Housing website:

<https://www.ontario.ca/page/ministry-municipal-affairs-housing>

The key dates as listed on page 18 of these procedures also apply to Third Party Advertisers.

Note: See the **Election Administration** section for the Clerk’s responsibilities with respect to the review of and reporting on Financial Statements.

## VOTING

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A voter is only entitled to vote once in a municipality and once in a school board, even if the voter has more than one qualifying address within the municipality or school board. The place where they vote is where they reside. If a voter resides in one ward, but has other properties in different wards, they may only vote in the ward where they reside. A voter may only have one permanent residence.

The 2022 Wasaga Beach Municipal Election will be conducted through the methods of Internet Voting and Paper Ballots with Tabulators. Electors will have the opportunity to choose the method of voting they wish to use. Internet Voting will be available throughout the entire voting period for voters to cast their ballot from anywhere, using an electronic device. There will be four (4) advance vote dates, where electors may cast their paper ballot in-person at one of two locations in Wasaga Beach. Proxy voting is not permitted.

### **Voting Locations, Dates, and Times**

The following locations, dates, and times have been scheduled. Dates, times, and locations are subject to change at the discretion of the Clerk.

#### **Paper Ballots with Tabulators:**

Town Hall	Wednesday	October 12, 2022, 10:00 a.m. to 3:00 p.m.
Council Chambers:	Friday	October 21, 2022, 10:00 a.m. to 3:00 p.m.
RecPlex Hall:	Saturday	October 15, 2022, 10:00 a.m. to 3:00 p.m.
	Wednesday	October 19, 2022, 10:00 a.m. to 7:00 p.m.

**\*\*NO** paper ballot voting will take place on Election Day.

#### **Internet Voting Period:**

On your device: October 3, 2022 10:00 a.m. to October 24, 2022 at 8:00 p.m.

Voting opens on Monday October 3, 2022 at 10:00 a.m. and runs continuously until close of voting on Election Day, Monday October 24, 2022 at 8:00 p.m.

#### **Internet Voting Help Centres:**

Internet Voting Help Centres are locations that voters can visit during the Internet Voting Period indicated above to access electronic devices to cast their vote and/or receive assistance with internet voting.

Voters may attend with a support person, taking the appropriate oath(s), and having a support person assist with voting using an available device.

The voter may request the assistance of an Election Official, having taken the appropriate oath upon their appointment to perform this service.

Devices (ie. Computers and/or tablets) will be available to use at locations designated as Internet Voting Help Centres:

- Town Hall – 30 Lewis Street
- Wasaga Beach Library - 120 Glenwood Drive
- RecPlex – 1247 Mosley Street

### **Drive-Thru Voting Assistance**

Drive-thru internet voting assistance may be offered on any designated voting day as determined by the Clerk at the following location:

- RecPlex at 1247 Mosley

### **Retirement Home Voter Assistance:**

On a day specified by the Clerk, voter assistance for the residents at the Town's retirement home may be offered:

- Waterside Retirement Lodge - 239 Zoo Park Road

### **Voter Information Letters**

Voter Information Letters (VIL) will be printed using the Voters' List, as amended and delivered through Canada Post to the mailing address of all eligible voters in advance of the voting period. In the case of an emergency, or at the discretion of the Clerk, alternative delivery method may be utilized.

The Voter Information Letter may include, but not limited to, the following information:

- The elector's PIN and the designated internet address (URL) to access to cast their vote;
- Instruction on how to vote;
- Dates and hours of voting;
- Advance Vote dates to vote using paper ballots;
- The location and telephone number of the Voter Help Centre(s);
- Voter eligibility criteria;
- Information on illegal and corrupt practices under the Act.

**A person cannot give their Voter Information Letter to another eligible elector for the purpose of voting. Acceptance of another person's Voter Information Letter, including the actual voting thereof will be considered an illegal and corrupt practice and therefore subject to the penalty provision under the Municipal Elections Act, specifically s.89 and 90.**

Should an eligible voter receive more than one Voter Information Letter, the eligible voter may only vote once and must return the other to the Clerk's Office.

**Electors who knowingly vote twice are committing an offence under the Municipal Elections Act and are subject to an investigation and prosecution by the police and legal system.**

Voter Information Letters returned to Town Hall shall have the PIN disabled. The VILs will be maintained in a secure fashion and destroyed in the same manner as all other municipal election material.

### **Replacement PINS**

If an elector requires a new PIN, they can attend Town Hall or contact the Voter Help Centre to review options with an Election Official. New PINs shall not be provided through alternative methods without the approval of the Clerk.

Eligible electors are able to request a new or replacement Voter Information Letter and PIN under certain circumstances:

1. If an elector on the Voter's List has lost/not received their Voter Information Letter and the PIN has not been used, an authorized Election Official can provide a new VIL and PIN provided that the satisfactory information has been provided and the elector completes the necessary forms.

The authorized Election Official will proceed to disable the elector's first assigned PIN and issue a new Voter Information Letter and PIN.

2. Where a person on the Voters' List has attempted to vote and their PIN has already been used, they can attend Town Hall and prove to the satisfaction of the Clerk that they did not vote using the PIN and will require a new PIN.

Upon the Clerk's satisfaction that they did not vote and proof of identity and residence, a new Voter Information Letter containing a new PIN may be issued provided the required statutory declaration has been duly sworn and executed.

**Electors who knowingly vote twice are committing an offence under the Municipal Elections Act and are subject to an investigation and prosecution by the police and legal system.**

3. Where an eligible voter has received an incorrect PIN in terms of school support and has not voted, the voter can contact the Clerk's Office and may have the proper category applied to the existing PIN. The elector will be required to provide appropriate confirmation of eligibility.

[Form – Voter Identification \(Form WB40\)](#)

[Form – Application to Amend Voters' List \(EL15\)](#)

## Internet Voting Process

The Internet Voting Period will commence on Monday, October 3<sup>rd</sup>, 2022 at 10:00 a.m. through until 8:00 p.m. on Monday, October 24<sup>th</sup>, 2022.

During the voting period, the Clerk's Office at the Administration Centre will be designated as the Voter Help Centre and will host access to the internet through electronic devices such as an iPad, tablet, or laptop device.

Below is an overview of the Internet voting process:

- Eligible electors, as identified on the Voters' List, will receive through the mail, a sealed and personalized Voter Information Letter. This letter will direct electors to a designated website for voting.
- At the designated website, electors will enter their PIN, date of birth, and validation criterion. Electors will advance into the voting system.
- Electors will take an Oath of Qualification, and are notified of corrupt practices.
- Based on the eligible options for the elector (ie. school board) the voting system will offer the options for the various election races for the elector to cast their vote(s). The voting system will permit the elector to abstain/skip from voting for an office(s) if they wish to do so and also to spoil a ballot if they wish to do so.
- Following the elector'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.
- Once all races are confirmed by the elector, the elector submits (casts) their vote and the voting process is complete. The elector will be struck off the Voters' List and identified as having participated in the election process.
- Once the voter PIN has been used to complete all races associated with the election, it cannot be used again and further access shall not be granted to the internet voting system.

## System Integrity

The integrity of the voting process shall be preserved by:

- Ensuring that every eligible elector on the Voters' List, as amended, receives a Voter Information Letter containing the voter's unique PIN;
- Ensuring that no one except the internet voting provider, Clerk, or designate, maintains a list of PINs that match each voter's name and address;
- Providing an opportunity for eligible electors to be added to the Voter's List or to make amendments to the list, up to and including Election Day (October 24<sup>th</sup>, 2022 at 8:00 p.m.); And,

- Appointing an Auditor to conduct audits of the system throughout the voting period.

## Paper Ballots with Tabulators Voting Process

For the voting method using traditional ballots with tabulators, The Town will use a composite paper ballot. By attending a voting location on an advanced voting day, and following confirmation of identity and verification of the voters list, the elector will receive one ballot that contains every office for which they are entitled to vote. There are different ballots depending upon the school support of the elector.

The Voter will be provided the correct ballot by an Election Official, and they will be struck off the Voters' List and identified as having participated in the election process.

The Voter will be advised to go behind a privacy screen to mark their ballot using the special provided pen. Once marked, they will put their ballot into the provided secrecy folder so it is concealed.

The voter will then approach the tabulator to feed their ballot into the ballot input slot on the front of the tabulator, ensuring that the ballot is face-down to protect confidentiality. The tabulator will pull the ballot from the folder, scan and tabulate its contents, and drop the ballot into the ballot box casting the elector's vote(s) for the Election.

## Voter Assistance

If an elector requires assistance to vote, an Election Official may assist as requested provided the elector take the Oral Oath to vote with assistance.

In lieu of an Election Official providing assistance, the elector may request that a friend assist the elector at the voting location or help centre. The friend assisting the elector shall be required to take the Oral Oath to vote with assistance.

No person shall be allowed to act as a friend of more than one voter at the voting location or help centre.

Form – Oral Oath – Elector Requiring Assistance (Form EL27)

**Candidates, anyone associated with their campaigns, or their scrutineers are not permitted to assist any electors with voting.**

## ELECTION ADMINISTRATION

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### Clerk's Authority

The Clerk is responsible for facilitating the 2022 Municipal Election through the establishment of rules and procedures. The Clerk may appoint, in writing, Election Officials to assist in the administration of the election process with duties included but not limited to:

- Revising the Voter's List;
- Receiving Nomination Papers;
- Administering Oaths;
- Assisting voters;
- Assisting in the conduct, supervision and management of the Internet and Paper Ballot voting procedures;
- Assisting the Clerk and other Election Officials as required.

The Clerk 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.

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

### Secrecy

All Election Officials shall take an oath of secrecy and be appointed by the Clerk as per the Appointment and Oath of Election Official. The Election Official shall document complaints regarding any and/or all alleged breaches of secrecy and, if deemed appropriate, the Clerk shall submit same to the Police for further investigation and potential prosecution.

### Form – Appointment and Oath of Election Official (Form WB18)

No person shall interfere or attempt to interfere with a voter while in the process of voting, unless expressly requested and authorized (see section regarding voting assistance)

### Review of Financial Statements

All Candidates and Third Party Advertisers are required to file a financial statement with the Clerk using the prescribed form.

The Clerk will be required to review all of the financial statements received and identify whether any contributor appears to have exceeded any of the contribution limits. The Clerk will be required to report to the Joint Compliance Audit Committee as soon as

possible after the filing deadline regarding contributions made to candidates and third party advertisers in excess of the established limits. Within 30 days of receiving the report, the Joint Compliance Audit Committee must consider the report and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

## Clerk's Report

As soon as possible after April 30<sup>th</sup>, 2023, the Clerk will be required to provide a report and make it available on the Town website setting out all candidates in an election and indicate whether each candidate complied with the financial reporting requirements.

## Disposition of Records

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

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

Form – Witness Statements as to Destruction of Ballots and Records (Form EL38)

## Accessibility

The Town of Wasaga Beach is committed to ensuring that all qualified electors have the opportunity to vote. Offering multiple methods of voting provides the most accessible access to the electoral process.

Internet Voting eliminates the need for electors to attend a voting location and provides for an extended period to participate in the election process, at any time of the day and from anywhere in the world. Voting through the traditional method using paper ballots on scheduled dates will take place at fully accessible locations.

The use of Paper Ballots during the advance votes will be done at locations that are fully accessible to electors if they choose this method over Internet Voting. Help

The Clerk is required to prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and make the plan available to the public in advance of the voting period. The Election Accessibility Plan is posted on the Town's website at [www.wasagabeach.com](http://www.wasagabeach.com). The Clerk is also required to provide a follow-up report to the public within 90 days after the election.

## Election Day

Prior to the activation of the Internet Voting system on Monday, October 3<sup>rd</sup>, 2022 at 10:00 a.m., the Clerk and the Auditor shall confirm that all candidates' names are listed and that no votes have been cast.

## Results of the Election

Once all individuals entitled to vote in the voting place at 8:00 p.m. on October 24<sup>th</sup>, 2022 have concluded voting, the Clerk shall arrange for the close and deactivation of the Internet Voting system. The Clerk shall then produce the results report and the Auditor shall produce the Auditor's results report to balance with the Clerk's report. The Clerk and the Auditor shall sign the report indicating the unofficial results and votes cast.

For paper ballots, at the end of each advance vote date, the poll will be closed on the tabulator and a results tape will be transmitted from the tabulator. The results tape will be signed by the Elections Officials and may be signed by any Scrutineers present in the voting location at the close of the polls, and sealed in an envelope or container to be stored in a secure location until the tallying of results on Election night at the close of voting. These result tapes will be verified with the Clerk and Auditor through comparison with the tabulator memory cards, which also store the results of each poll.

As soon as possible after Voting Day, the Clerk shall declare the candidates elected as a result of the election and certify the results of the election. The official results will be posted on the Town website [www.wasagabeach.ca](http://www.wasagabeach.ca) and at Town Hall as soon as possible after Voting Day.

### Form – Certificate of Election Results (Form EL08)

## Recount

The MEA requires a recount to be conducted within 15 days under the following conditions:

- Where the counting of ballots resulted in a tie vote and one Candidate will not be elected;
- Where a municipality, local board or Minister of Municipal Affairs has passed a resolution to order a recount; or
- Where an elector's request has been granted by the Superior Court of Justice.

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

## Emergencies

In the event of any condition of an emergency or any circumstance that will undermine the integrity of the election, the Clerk has the discretion under the MEA to declare an emergency and make any arrangements deemed necessary for the conduct of the election. The purpose of this is to help Election Officials carry out their duties, in the event an emergency should arise.

When declaring an emergency, any arrangements made by the Clerk, if they are consistent with the principles of the MEA, prevail over anything in the Act and the regulations and all such arrangements, if made in good faith, shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness. The emergency continues until the Clerk declares that it has ended.

## Forms

- Form – Application to Amend Voters’ List (Form EL15)
- Form – Voter Identification (Form WB40)
- Form – Declaration of Identity (Form 9)
- Form – Nomination Paper (Form 1)
- Form – Endorsement of Nomination (Form 2)
- Form – Unofficial List of Candidates (Form WB41)
- Form – Declaration of Acclamations to Office (Form EL20)
- Form – List of Certified Candidates (Form EL07)
- Form – Withdrawal of Nomination (Form EL19)
- Form – Appointment of Scrutineer by a Candidate (Form EL12A)
- Form – Oral Oath of Secrecy (Form EL12B)
- Form – Candidate’s Declaration – Proper Use of Voters’ List (Form EL14)
- Form – Preliminary Certificate of Maximum Campaign Expenses (Form EL37)
- Form – Notice to Candidate of Filing Requirements (Form EL42)
- Form – Financial Statement – Auditor’s Report Candidate (Form 4)
- Form – Financial Statement – Subsequent Expenses (Form 5)
- Form – Notice of Extension of Campaign Period (Form 6)
- Form – Notice to Candidate of Penalties (Form EL42A)
- Form – Notice of Default – Candidate (Form EL43)
- Form – Notice of Registration – Third Party (Form 7)
- Form – Declaration of Qualifications – Third Party (Form WB52)
- Form – Financial Statement – Auditor’s Report Third Party (Form 8)
- Form – Notice to Registered Third Party of Filing Requirements (Form EL42B)
- Form – Notice of Default – Third Party Advertiser (Form EL43B)
- Form – Oral Oath – Elector Requiring Assistance (Form EL27)
- Form – Appointment and Oath of Election Official (Form WB18)
- Form – Witness Statements as to Destruction of Ballots and Records (Form EL38)
- Form – Certificate of Election Results (Form EL08)