



## **Town of Collingwood 2022 MUNICIPAL ELECTION PROCEDURES**

**Approved by the Clerk/Returning Officer for the Corporation of the Town of Collingwood on May 31, 2022**

- Notes:
1. This manual was established May 2022 and will be revised as necessary. The revision date of an item will be noted on the lower right-hand corner of the revised page and in the table of contents.
  2. The Clerk of the Town of Collingwood is the Returning Officer for this election and responsible by law for its conduct. Any matter not allowed for in this manual of procedure or interpretation thereof is the responsibility and discretion of the Clerk.

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## **1. Introduction**

The 2022 Municipal and School Board Election will be held on **Monday, October 24, 2022** for the following offices in the Town of Collingwood and School Boards, unless otherwise acclaimed:

- Mayor
- Deputy Mayor
- Councillor (Seven)
- Trustee, English Language Public School Board
- Trustee, English Language Separate School Board
- Trustee, French Language Public School Board
- Trustee, French Language Separate School Board

Collingwood elects its officials using an “at-large” system with electors voting for candidates representing the entire municipality, not a specific ward.

The Mayor and Deputy Mayor not only represent the electorate of the Town of Collingwood, but also sit on the council of the upper tier municipality, being the County of Simcoe. An Alternate Member By-law for representation on the Council of the County of Simcoe has been implemented by the Town. If the Mayor or Deputy Mayor is absent, the Alternate Member may attend in their absence. The Alternate Member is the Councillor who receives the highest votes in the municipal election for that term, unless that member forfeits his/her appointment as an alternate, then it shall be offered to the Councillor with the next highest votes, and so on until the position is accepted, and the respective by-law authorizing the alternate appointment is enacted.

The Town of Collingwood’s objective for the Municipal Election is to conduct an election process with the utmost integrity that is fair, accessible and accountable, following the principles of the Municipal Elections Act (provided below) and goals of our Community Based Strategic Plan. To provide a convenient and accessible voting method for all eligible voters, the Town of Collingwood has chosen to use an alternative voting method<sup>1</sup> in accordance with the Municipal Elections Act, 1996, as amended. This election the Town of Collingwood will be offering a digital ballot submitted electronically over the internet with an option of a paper ballot that is fed into a tabulator by the elector for counting efficiency.

### **Principles Guiding Municipal Elections**

The following principles were considered during the development of the Municipal Elections Act, its amendments and the planning and delivery of the 2022 Municipal Election:

- The secrecy and confidentiality of the individual vote is paramount.
- The election should be fair and non-biased.
- The election should be accessible to the voters.
- The integrity of the process should be maintained throughout the election.

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<sup>1</sup> MEA S.42(1)

- There be certainty that the results of the election reflect the votes cast.
- Voters and candidates should be treated fairly and consistently within a municipality.

Procedures and forms have been developed for this Election as required by MEAS.42(3) and MEAS.42(4) and will be revised as necessary. Additional procedures related to the election that have not been included in this manual as of May 31, 2022 may be added as they become available.

## **2. Definitions**

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

**Auditor** means the Returning Officer, or individual delegated by the Returning Officer, who performs the prescribed combination of processes and procedures (audit duties) designed to validate a range of activities and/or functions on the internet and paper ballot voting systems.

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

**Candidate** means a person who has been nominated under Section 33 of the Act.

**Certified Candidate** means a candidate whose nomination has been certified by the Clerk under Section 35 of the Act.

**Clerk** means the Clerk of the municipality 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 (RO) for the 2022 Municipal Election. All references to Clerk's designate shall mean the delegated duties of the RO.

**Election at-large** shall mean voting by the entire municipality for the same municipal candidates, not by ward.

**Electronic Ballot Marking Device** shall mean an electronic device that provides Voters with variable abilities the option of voting independently by way of an audio ballot using an Audio Tactile Interface, Sip and Puff or Paddle Button interface and headphones to produce a computer rendered marked paper ballot identifying the Voters preferred Candidates.

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

**Help Centre** means a location designated by the Clerk supplied with an internet connection to accommodate voting during the voting period and the supply of a paper ballot for those wanting to vote in a traditional voting method in a traditional polling station atmosphere. The ability to vote at the Help Centre will be limited to advanced voting dates and hours or as otherwise posted. The Help Centre may also act as a Revision Centre.

**Municipal Office** means the Town of Collingwood administration building referred to as Town Hall located at 97 Hurontario Street, Collingwood, ON.

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

**Preliminary List of Electors** means a list of electors for the Town of Collingwood 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.

**Proof of Identification** means proof of identification 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.

**Revision Centre** means a location(s) designated by the Clerk to make additions, deletions and corrections to the Voters' List and to provide clarity on the election process. A Revision Centre may also act as a Help Centre.

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

**Third Party Advertisement** means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing, a candidate or a "yes" or "no" answer to a question on the ballot, but does not include an advertisement by or under the direction of a candidate, by a Registered Third Party in accordance with the Municipal Elections Act.

**Third Party Advertiser (TPA)** means, in relation to an election in a municipality, an individual, corporation or trade union that is registered under section 88.6 of the Municipal Elections Act.

**Time/Clock** means the time as indicated on the clock clearly identified as the designated clock for the purpose of the municipal election.

**Voter Information Letter** means a letter containing a Voter PIN, paper ballot voting location(s) and an internet address for voting, a Revision Centre telephone number for assistance and a list of candidates for office. These letters shall be mailed individually to every person on the Voters' List or provided by election officials to persons who have completed an application for inclusion on the Voters' List.

**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.

**Voting Location** means the location(s) designated for electors to cast their vote and includes any place in the immediate vicinity of the voting place designated by the Clerk.

**Voting Period** means the period in which an eligible voter may cast their vote, either via internet or paper ballot in advance of Voting Day as determined by the Clerk.

### 3. 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 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.

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.

#### Unforeseen Cases

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

#### Alternative Voting Method

A by-law authorizing alternative voting methods is required to be passed on or before May 1 in the year of the election. On July 19, 2021, By-law No. 2021-050 was passed authorizing the use of internet voting and paper ballot voting methods with the use of optical scanning tabulators for the purpose of counting paper ballots for the Collingwood municipal and school board elections. In keeping with s. 42(5) of the Act, voting proxies will only apply to the paper ballot voting method.

### 4. Election Staff

The Returning Officer will delegate powers and duties to Deputy Returning Officer(s) and Election Assistant(s). Election Personnel will take an oath and be assigned such duties relating to the election as are deemed necessary by the Returning Officer required to assist in the administration, management, security, control and integrity of the election process.

The following duties shall apply to Election Personnel with other duties assigned as deemed appropriate throughout the election process:

**Returning Officer (RO)** shall mean the Municipal Clerk for the Town of Collingwood. The Returning Officer is responsible for ensuring that the election is conducted fairly in accordance with legislative requirements and established procedures. As Returning Officer, the Clerk is empowered by legislation to conduct the election and may provide for any matter that is not otherwise provided for in an Act or regulation and is, in the Clerk's opinion, necessary or desirable for conducting the election, establish the procedures and rules and

to interpret the procedures and rules, except as varied by a court, and may continue to exercise the delegated powers and duties despite any written delegation pursuant to sections 15(2), 15(3) and 15(4) of the Municipal Elections Act, 1996.

**Deputy Returning Officer\* (DRO)** shall mean person(s) appointed by oath to carry out the duties and responsibilities of the Clerk for conducting the Election. Pursuant to section 15(3) the Clerk may continue to exercise the delegated powers and duties despite this delegation.

Duties and responsibilities include but may not be limited to:

- administration of Help Centre(s) throughout the Voting Period;
- accepting and certifying nomination papers for candidates;
- accepting and certifying notice of registration of third party advertisers;
- administering oaths applicable to the conduct of the election;
- applying revisions of the Voters' List including the authority to require a person to furnish proof of identity, qualifications or any other matter;
- ensuring security and set-up of alternative voting method;
- issue PIN's for internet voting as outlined in the Election Procedures;
- assisting electors with internet voting and voting using traditional ballots at the voting locations, Voter Help Centre and other locations as required;
- assisting in the conduct, supervision and management of the Internet and Traditional Ballot voting procedures; and
- other duties as may be delegated by the Returning Officer.

**Election Assistant\* (EA)** shall mean person(s) appointed by oath for the purposes as set out in the oath and such other duties as may be delegated by the Returning Officer including the authority to amend the Voters' List, require a person to furnish proof of identity, qualifications or any other matter, and assist at the designated Help Centre(s), and other duties as may be delegated by the Returning Officer or Deputy Returning Officer.

\*All written appointments of Election Personnel shall include the authority to require any person to furnish proof of identification or qualifications pursuant to the Municipal Elections Act, 1996, as amended.

## **5. Accessibility**

### **Electors and Candidates with Disabilities**

The Clerk shall have regard to the needs of electors and candidates with varying abilities. The Town of Collingwood 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.

The use of paper ballots during the advance vote dates will be done at locations that are fully accessible to electors if they choose this method over Internet Voting. In addition to the traditional ballot, an Electronic Ballot Marking Device will also be available at designated voting locations. This device allows eligible electors with variable abilities the option of voting



independently by way of an audio ballot using an Audio Tactile Interface, Sip and Puff or Paddle Button interface and headphones to produce a computer rendered marked paper ballot identifying the Voters preferred Candidates.

### **Location - Accessibility**

The Clerk shall ensure that each Help Centre and Voting Location is accessible to electors with varying abilities and has established a Roving Help Centre to reasonably assist electors who require accommodation.

### **Report**

Prior to Voting Day, the Clerk must 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. This report will be posted on the municipal website.

Within 90 days after Voting Day in a regular election but no later than January 23, 2023, the Clerk shall submit a report to council about the identification, removal and prevention of barriers that effect electors and candidates with disabilities. This report will be posted on the municipal website.

## **6. Nominations**

Nominations for the following offices will be accepted from Monday May 2, 2022 to Thursday, August 18, 2022 during regular office hours (8:30 a.m. to 4:30 p.m.), and between 9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022 (Nomination Day).

### **Municipal Council**

- (1) Mayor
- (1) Deputy Mayor
- (7) Councillor

### **School Board Trustee**

- (1) English Public School Board Trustee
- (1) English Separate School Board Trustee
- (1) French Public School Board Trustee
- (1) French Separate School Board Trustee

The nomination of a person for an office on municipal council must be endorsed by at least twenty-five (25) persons. The person endorsing a nomination must be eligible to vote in the same municipal election on the day that the person endorses the nomination and is permitted to endorse more than one nomination. Nomination and endorsement forms can be found on the website or are available at the Municipal Office. Nominations filed for school board trustee do not require the endorsement of 25 persons.

Nominations and Nomination Endorsements must be on the prescribed form and are to be filed with the Clerk at the appropriate Municipal Office in the following manner:

- in person or through an agent
- with the prescribed statement of qualifications, signed by the person being nominated
- with the prescribed nomination filing fee of \$200.00 for Head of Council and \$100 for all other offices – the filing fee shall be paid by cash, debit card, credit card, certified cheque or money order payable to the municipality
- with proof of identity and residence or qualifying address as prescribed in O. Reg. 304/13, and outlined in the Town Nominations / Registration Procedures.

No faxed or other electronically transmitted nomination paper will be accepted – original signatures are required.

School Board Trustee nominations are to be submitted to the following municipalities:

**English Public School Board Trustee**

**Simcoe County District School Board (Collingwood, Wasaga Beach)**

Town of Collingwood - Town Hall

Sara Almas, Clerk

97 Hurontario Street, Collingwood, ON L9Y 2L9

705-445-1030 | [election@collingwood.ca](mailto:election@collingwood.ca)

**English Separate School Board Trustee**

**Simcoe Muskoka Catholic District School Board (Springwater, Collingwood, Clearview, Wasaga Beach)**

Township of Springwater

Renée Chaperon, Clerk

2231 Nursery Road, Minesing, ON L9X 1A8

705-728-4784 | [clerks@springwater.ca](mailto:clerks@springwater.ca)

**French Public School Board Trustee**

**Conseil scolaire Viamonde (Sector 5)**

City of Barrie

Wendy Cooke, City Clerk/Director of Legislative and Court Services

70 Collier Street, Barrie, ON L4M 3M3

705-739-8683 | [be.counted@barrie.ca](mailto:be.counted@barrie.ca)

**French Separate School Board Trustee**

**Conseil scolaire catholique MonAvenir (Sector 5)**

City of Barrie

Wendy Cooke, City Clerk/Director of Legislative and Court Services

70 Collier Street, Barrie, ON L4M 3M3

705-739-8683 | [be.counted@barrie.ca](mailto:be.counted@barrie.ca)

In situations where a person seeking nomination for a school board resides more than 100km from the Municipal Office where they are required to file the nominations for that specific school board, a Clerk within 100km of the candidates residence shall be delegated authority to accept the nomination.

Should additional locations be required for the filing of nomination papers other than at the designated Municipal Office, notice of the additional locations will be posted on the municipal website.

Refer to Appendix A – Nomination/Registration Procedures for more information on eligibility requirements, change of office, filing fees, acclamations, etc.

## **7. Candidate Resources, Campaigning and Campaign Material**

**Campaigning** begins on the day a candidate files their nomination with the Clerk or designate and ends on:

- the day the nomination is withdrawn or rejected by the Clerk; or
- on January 3, 2023

Information contained in all campaign material is the responsibility of the candidate and any

questions or concerns should be directed to the candidate.

### **Municipal Employee Communication with Candidates**

The following provides direction to candidates on the handling of questions directed to and meetings with Municipal staff. Every effort will be made to provide information to all candidates to ensure fairness and transparency. Answers to questions posed by candidates in writing will be shared with all registered candidates without identifying the name of the candidate asking the question, and posted on the Municipal website generally within one week. Questions addressed verbally may be made available in writing at the discretion of the Director and posted on the website. Questions shall be provided in a clear and concise manner, and be respectful of staff resources. Information that is not readily available to the public may require the submission of an access request for information under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). If unsure, any questions should be directed to the Clerk.

#### **Election-related Questions**

Questions pertaining to all matters related to the election process or MFIPPA, including the voting method, shall be directed to the Returning Officer:

Sara Almas, Clerk  
97 Hurontario Street, PO Box 157, Collingwood, ON L9Y 3Z5  
Tel: 705-445-1030 ext. 3225  
Email: [election@collingwood.ca](mailto:election@collingwood.ca)

#### **Questions pertaining to Municipal Administration**

All other questions should be directed to the Chief Administrative Officer, who will follow up with the necessary Director or appropriate staff. Candidates are invited to request a meeting through the CAO's office. An appointment should be arranged in advance through the CAO's assistant.

To ensure fairness, access to senior staff shall be the same for all candidates, including existing Members of Council.

Sonya Skinner, Chief Administrative Officer  
97 Hurontario Street, PO Box 157, Collingwood, ON L9Y 3Z5  
Tel: 705-445-1030 Extension: 3231  
Email: [sskinner@collingwood.ca](mailto:sskinner@collingwood.ca)

Executive Assistant to the CAO: Shelby Verkindt  
Tel: 705-445-1030 Extension: 3229  
Email: [sverkindt@collingwood.ca](mailto:sverkindt@collingwood.ca)

#### **Use of Municipal Logo or Other Town of Collingwood Insignia**

The use of the municipal logo or other Town of Collingwood 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 may only be permitted if it is found to be in accordance with the provisions provided for in the Use of Corporate Resources and Election Campaign Activities Policy.

### **Use of Corporate Resources during an Election Year**

A Use of Corporate Resources and Election Campaign Activities Policy has been established which covers the following and is included as Appendix B of this manual. Please reference this policy when considering the use of corporate services/facilities.

- General Policy Principles
- Campaign Activities at Town-owned and/or Operated Facilities
- Campaign Activities at Events
- Activities not permitted during an Election Period
- Communications
- Budget and Spending
- Procedures for Town Employees
- Limitations

*\*This policy is applicable to all local boards unless otherwise authorized by each local board.*

### **Code of Conduct for Members of Council, Committees and Local Boards**

The [Code of Conduct](#) further outlines responsibilities of Members and Candidates with regard to the election including, but not limited to:

- Rule No. 5 – Use of Town Resources
- Rule No. 6 – Election Campaigns

Inquiries to the provisions within the Code of Conduct should be directed to the Integrity Commissioner, Principles Integrity at [postoffice@principlesintegrity.org](mailto:postoffice@principlesintegrity.org)

### **Election Signs**

By-law No. 2018-024, providing for the regulation for both Candidate and Registered Third Party election signs was enacted and passed on April 16, 2018. Permit stickers for election signs will be provided to all candidates and third party advertisers, not later than the day following the certification of nomination papers upon receipt of a \$100 deposit. The full by-law can be found in Appendix C of this manual and on the municipal website.

### **Vandalism**

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

### **Financial Statements**

Financial Statements contain all expenses and revenues that pertain to a candidate's/TPA's campaign and is required to be filed with the Clerk by no later than **2:00 p.m. on March 31, 2023**, unless an extension has been granted. All Financial Statements will be posted on the municipal website for public viewing as soon as possible after the documents are filed.

Candidates/TPA's 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. The Clerk shall not be responsible for any errors in the campaign filing statements, and shall be indemnified and therein not liable for any errors, misstatements, or incorrect information filed by any Candidate/TPA.

## **8. Voting**

The Town of Collingwood 2022 Municipal Election will be conducted through the methods of Internet Voting, Paper Ballots with Tabulators and an Electronic Ballot Marking Device for eligible voters with varying abilities wishing to mark their ballot independently other than through Internet Voting. 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 five (5) advance vote dates where electors may cast their paper ballot in-person at one central location in Collingwood.

### **Public Information Session(s)**

One or more Public information Sessions will be held for the purpose of explaining the method of voting and responding to questions from the electorate regarding the election process and procedures. The date and time of the session(s) will be advertised on the municipal website.

The Clerk may coordinate the public information session, notices and advertisements with other municipal clerks of local municipalities who have adopted a similar alternative voting method.

### **Help Centre(s)**

Help Centre(s) have been established to provide general information to electors, have the ability to act as a Voter Revision Centre, and may provide opportunity to vote over the internet by using a tablet or computer provided for voting purposes, cast a traditional paper ballot or utilize the Electronic Ballot Marking Device on the designated advance voting dates and on Voting Day.

The Voters' List shall be available to election officials at the Help Centres in electronic format to accommodate the voting process.

No campaign material will be allowed within a Help Centre.

### **Procedure to Issue a Replacement Voter Information Letter:**

Eligible electors will be able to request a replacement Voter Information Letter under certain circumstances:

1. Where a person on the Voters' List has lost/not received his or her Voter Information Letter and the Voter PIN has not been used, he or she can either attend the Help Centre or up to and ending at 7:00pm on Voting Day, October 24, 2022, access the portal through: <https://election.collingwood.ca/voterregistration.html>. The eligible voter must provide to the satisfaction of the authorized election official that they require a new Voter PIN. The authorized election official will confirm the elector has not voted and will proceed to disable the elector's assigned Voter PIN. Upon providing proof of identity and residence as prescribed in O. Reg. 304/13 to an election official, a declaration will be required to re-issue the Voter Information Letter (lost or unused), prior to a new Voter Information Letter containing a new Voter PIN being issued.
2. Where a person on the Voters' List has attempted to vote and their Voter PIN has already been used, he or she can attend the Help Centre and prove to the satisfaction Returning Officer or Deputy Returning Officer that they did not vote using the Voter PIN originally provided and require a new Voter PIN. Prior to issuing a new Voter PIN, the election official shall advise the elector that once the new Voter PIN has been assigned, the elector must vote immediately at the Help Centre. Upon providing proof of identity

and residence as prescribed in O. Reg. 304/13 and an oath taken by the elector to an election official a new Voter Information Letter containing a new Voter PIN issued. The elector will be directed immediately to the Help Centre where internet access is available to eliminate any further confusion, conflicts or misuse of the Voter PIN.

### **Roving Help Centre(s)**

Electors may also attend a mobile voting station through the use of a "Roving Help Centre". There may be access to a mobile voting device during the Voting Period which would be located at various locations throughout the municipality, and equipped with portable wireless internet (Wifi) to ensure consistent and secure access to the internet. Electors can come to the Roving Help Centre to meet with staff for information and assistance, and either cast their vote at that time, or at a later time from the comfort of a location of their choice.

A Roving Help Centre may be scheduled to attend the various locations during the Voting Period as determined by the RO. A schedule will be provided to Candidates/TPA at least two weeks in advance of the Roving Help Centre.

### **Service Provider – Internet Voting and Tabulators**

The service provider for internet voting and tabulators is Dominion Voting Systems Inc. A copy of the contract with Dominion Voting Systems Inc. is available from the Clerk upon request.

### **Voting System Integrity**

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

- a) Ensuring that all election officials have been properly and fully trained, appointed and have undertaken an oath of secrecy, confidentiality and duty to uphold the integrity of the election process in accordance with the principles of the Act;
- b) Ensuring that every eligible elector on the Voters' List, as amended, is sent a sealed Voter Information Letter containing the voter's unique PIN, by first class mail;
- c) Ensuring that no one except the Clerk, or designate, can access Voter PINs maintained by Dominion Voting Systems Inc. that match each voter's name and address which do not connect to the choice or selection of a voter; and
- d) Providing an opportunity for eligible electors to be added to the Voters' List or to make amendments to the list if attending in person help centre(s) up to and including Voting Day, October 24, 2022 at 8:00 p.m., or if making application online up to and ending at 7:00 p.m., October 24, 2022 on Voting Day. The online registration will end at 7:00 p.m. to ensure time for election officials to review the applications and ensure the voter has time to receive their voter credentials and access the system to vote prior to 8:00 p.m.
- e) Ensuring that at least one (1) RO or DRO(s) are in attendance at the help centre at all time.
- f) Ensuring Information Technology presence is available and on-site on voting day.

### **Voting System Checks**

Logic and accuracy testing of the voting system will take place in advance of the Voting Period on a date to be determined by the Returning Officer.

Candidates will be invited to attend a session on the first day of the Voting Period, being October 8, 2022 and at the shutdown of the voting system at the completion of voting on October 24, 2022. Should a candidate not be available they may appoint a scrutineer.

Prior to the activation of the system by the Returning Officer/Clerk, on October 8, 2022, the Deputy Returning Officer and those candidates in attendance shall confirm that all candidates' names are listed and that no votes have been cast. The system will not be activated until confirmation that all the counts associated with each of the candidates' names indicate a zero total. Candidates or their scrutineer in attendance will be required to sign the "Activation of the Voting System" Form that attests to this fact.

### **Auditor**

The Returning Officer shall conduct all audit procedures unless otherwise specifically delegated to another individual for the purposes of ensuring the integrity of the election system. This delegation can be for internet ballots and/or paper ballots.

### **Secrecy**

All election officials are required to take an oath of secrecy and be appointed by the Clerk as per the "Appointment Oath of Election Officials" Form.

All complaints regarding any and/or all breaches of secrecy shall be documented by the election official as well as questions and answers of the complaint and reported to the Clerk. If deemed appropriate, the Clerk may submit same to the Police for further investigation and possible prosecution.

### **Preparation of Voter Information Letters**

The Voter Information Letters will be prepared using the Voters' List. Voter Information Letters shall be delivered to Canada Post and distributed by first class mail to all Eligible electors on a date to be determined, in advance of the Voting Period. The Voter Information Letter will contain:

- the elector's voter credentials, the designated internet address (URL) to access to cast his or her vote using the Internet, and Voting Locations to cast a paper ballot, whichever method the elector chooses to submit their votes;
- instructions on how to vote;
- dates and hours of voting;
- the location and telephone number of the Help Centre(s);
- voter eligibility criteria;
- office and candidate information; and
- information on illegal and corrupt practices under the Act.

A person cannot give his/her 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 Act, specifically s.89 and s.90.

### **Number of Votes**

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. A voter may only have one permanent residence.

Every eligible elector shall be limited to one ballot for all races and questions, for which they are

entitled to vote, through the use of voter credentials distributed by first class mail in a sealed and personalized Voter Information Letter. The voting system will allow the eligible elector to vote using the internet or by paper ballot.

### **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 Ballot with Tabulators & Electronic Ballot Marking Device:**

Collingwood Public Library, 55 Ste. Marie Street, Collingwood, ON:

Saturday	October 8, 2022, 10:00 a.m. to 3:00 p.m.
Wednesday	October 12, 2022, 3:00 p.m. to 8:00 p.m.
Saturday	October 15, 2022, 10:00 a.m. to 3:00 p.m.
Wednesday	October 19, 2022, 3:00 p.m. to 8:00 p.m.
Saturday	October 22, 2022, 10:00 a.m. to 3:00 p.m.
Voting Day: Monday October 24, 2022, 10:00 a.m. to 8:00 p.m.	

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

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

Collingwood Public Library: Access to electronic devices to cast a ballot utilizing internet voting will be available on the dates and times provided for Paper Ballot voting.

### **Internet Voting**

Prior to voting, electors will be required to confirm that they are an eligible voter, complete a security prompt and key in their voter credentials.

Once an elector has made a selection for each race or question, the voting system shall indicate the voter's choice and shall allow the voter to either confirm their selection, and cast their vote, or return to the race to change their selection. If the selection of a particular race is not confirmed the vote is not cast.

Once the voter credentials are used to complete voting and a ballot is cast, it cannot be used again and further access shall not be granted to the voting system by the elector who has been identified on the Voters List as voted.

The names of electors who have voted during the Voting Period will be provided to the Clerk electronically through the Dominion Voting System and Municipal Voter View. **It is not possible to determine how an elector has voted.**

The voting system allows a voter to undervote or submit a blank ballot should that be the intent of the voter. Should a voter select too many candidates for a particular race the votes for that race will not be accepted and the voter will be prompted and have the ability to review and adjust his/her vote.

### **Problems Accessing the Voting System**

Where an eligible elector has tried his/her Voter PIN and has been unsuccessful in accessing



the voting system, the election official will determine its status. If it is determined the Voter PIN is still valid, the voter shall be advised the Voter PIN is valid and has not been used. The election official may suggest the voter try the voter credentials again or attend a Help Centre to obtain assistance in voting if unable to do so.

Where an eligible elector has tried his/her Voter PIN and they have determined that it has already been used, the voter can attend the Help Centre with proof of identity and residence as prescribed in O. Reg. 304/13 and have an election official confirm that the elector's Voter PIN has been used. If the voter has not voted, a new Voter PIN may be issued following the applicable application and oath is administered.

Where an eligible voter has received an incorrect Voter PIN in terms of school support, and has not completed his/her ballot, the voter can contact the Help Centre and be re-issued a Voter PIN based on the proper voting credentials. The incorrect Voter PIN will be automatically disabled at time of re-issuance. The voter will be required to provide appropriate confirmation of eligibility and to complete an "Application to Amend Voters' List" Form.

New voter credentials should not be given out over the telephone. The voter must attend the Help Centre with proof of identification and qualifying address as prescribed in O. Reg. 304/13 and complete the required application form, or submit the required application form to be added to the Voters List available on the municipal website after September 1, 2022.

Where practical, an Election Official may attend a voter's private residence if they are experiencing difficulty in voting to explain the process and may provide a mobile tablet with WiFi or mobile phone to access the voting system if they are unable to attend a Help Centre or Voting Location.

In exceptional circumstances, at the sole discretion of the Returning Officer, voter credentials may be issued through an alternative method. Eligible electors must satisfy the Returning Officer of their identity and their inability to attend a Help Centre to be issued with replacement voter credentials. Such situations shall be documented by the Returning Officer with measures to ensure security and privacy of the elector, and integrity of the voting process.

### **Paper Ballot Voting with Tabulators**

The use of traditional ballots at Advanced Voting Locations and on Voting Day will allow electors to cast their ballot in-person, at an accessible location. An Electronic Ballot Marking Device will also be available at the designated Advanced Voting Locations to provide additional voting opportunities for eligible voters with varying abilities in addition to Internet Voting.

For the voting method using traditional ballots with tabulators, the Town of Collingwood will use a composite ballot. By attending a voting location on an Advanced Voting Day or on Voting Day, and following confirmation of identity and verification of the eligible electors' name being on 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 ballot shall be initialed by the Election Official indicating the validity of the ballot.

The Voter will be advised to go behind a privacy screen to mark their ballot using the marking device provided by an Election Official. Once marked, the voter will put their ballot into the

secrecy folder they have been provided 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 secured ballot box casting the elector's vote(s) for the Election.

The voting system allows a voter to undervote a race or submit a blank ballot should that be the intent of the voter. If a voter selects too many candidates for a race (i.e. they are to select 7 and they have marked 8 selections), the votes for that specific race would be rejected and not counted.

When a ballot is fed into the tabulator, the tabulator scans the ballot and detects errors with the ballot before casting the votes marked on the ballot face. If there is an error detected, a warning message will appear on the face of the tabulator allowing the Voter to either cast their ballot as is or return it to the Voter to review and/or correct the ballot before it is cast. If a voter wishes to review their ballot, it will be returned back into the secrecy folder and the Voter will be redirected to a privacy screen to review and make the needed corrections.

In the case of an overvote, should the Voter wish to correct their ballot, the ballot is returned to the secrecy folder and provided to the DRO who will date and initial the back of the ballot and place it into a secure remark box and the voter is issued a replacement ballot, and would follow the process in marking their ballot.

The secrecy of how a voter casts their ballot shall be maintained at all times.

### **Electronic Ballot Marking Device**

A voter wishing to utilize the Electronic Ballot Marking Device shall do so by providing Election Staff with their Vote Information Letter. Election Staff will provide instruction to the Voter as to how to cast a ballot using the Electronic Ballot Marking Device, providing assistance to the Voter if requested.

The Voter shall select from one of the options available to cast their vote including an Audio Tactile Interface, Sip and Puff or Paddle Button interface and headphones to navigate their way through the audio ballot.

The Voter will select their preferred Candidates through the audio session and a mark will be placed to the right of the Candidate(s) selected. An audio confirmation of their selections will be provided to the Voter prior to their votes being cast. Once satisfied, the system will then print a paper copy of the marked ballot providing the Voter an additional opportunity to verify their selections before being cast. Once confirmed, the voter will follow the same process as provided above for Paper Ballot Voting with Tabulators with their ballot being placed into a secrecy folder to conceal the ballot and inserted into the tabulator to cast their votes as indicated on their ballot.

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

Drive-thru internet voting assistance may be offered on any designated voting day as determined by the Clerk at a location to be determined. Notice shall be provided to Candidates, TPA and Voters a minimum of two (2) weeks prior to the date and time determined.

### **Hospitals, Nursing Homes, Retirement Home Voter Assistance**

On a day specified by the Clerk, voter assistance for the residents at Hospitals, Nursing Homes and Retirement Homes may be offered during the Voting Period. Internet voting may be

provided by election officials at these locations with the ability to may revisions to the Voters List as may be required.

### **Proxy Voting**

A person who is entitled to vote in a municipal election may appoint another person who is also entitled to vote in the election to vote on their behalf following the prescribed requirements as set out in section 44 of the [Municipal Elections Act](#). Proxy voting is restricted to paper ballot voting only.

All requests for proxy voting are to be provided to the Clerk on the prescribed form, certified by the Clerk prior to voting taking place upon receipt of a certificate supplied by the Clerk. The legislation requirements contained in section 44 of the Act are to be followed explicitly.

The assignment of a proxy shall be recorded on the Voters' List clearing indicating the approval of the voting proxy.

### **Duplicate Voter Information Letters**

Should an eligible voter receive more than one Voter Information Letter, the eligible voter is only permitted to vote **once** and must return the other Voter Information Letter to the Municipal Office and if applicable, complete an "Application to Amend Voters' List" Form to remove the duplicate name. All electors who vote more than once or who improperly use the Voter Information Letter shall be reported to the Police for further investigation as to possible corrupt practices under the Act. Any duplicate letters may also be placed back in the mail clearly noted on the front "return to sender", no additional postage required.

### **Returned Voter Information Letters**

Upon delivery of the returned Voter Information Letter, election officials shall take charge of the returned Voter Information Letters, storing them in a secure area as soon as practical. Should the voter to whom the Voter Information Letter belong to contact the municipality and the voters credentials are confirmed, the original Voter Information Letter may be provided to the voter without disabling the original Voter PIN provided or a replacement voter information letter be issued and the original voter credentials be disabled. The returned Voter Information Letters under the custody of the municipality after the close of voting shall be destroyed in the same manner as all other municipal election material as provided for under s.88 of the Act.

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

- a) that were sent to Eligible electors;
- b) that were returned from the Post Office;
- c) that were returned by an elector or other individual either opened or unopened but unused for voting purposes;
- d) that were set to a status that prevented them from being used to vote;
- e) that were re-issued to an eligible elector; and
- f) that were assigned by an election official to eligible electors that have completed "Application to Amend Voters' List" Form.

### **Electors Requiring Assistance**

The election official may permit an elector who needs assistance voting to have such assistance as the election official considers necessary.

***Oral Oath to Vote with Assistance***

A voter who requires such assistance to vote at a Help Centre may ask an election official or friend for assistance. An election official shall confirm to the voter they have taken an oral oath of secrecy and bound by complete confidentiality, and not assist the voter until the voter has either requested in writing assistance or has provided an oral confirmation of their request for assistance.

***Oral Oath of Friend of Elector***

In lieu of the election official providing assistance, the voter may request that a friend accompany the voter at a Help Centre and assist the voter. Any friend assisting shall be required to take the Oral Oath of Friend of Elector on the “Oral Oaths at Help Centre” Form. No person shall be allowed to act as a friend of more than one voter at a Help Centre. **Candidates and Scrutineers cannot act in the capacity of a friend of elector.**

***Oral Oath of Interpreter***

Where a voter requires an interpreter, such person provided by the voter, shall take the Oral Oath of Interpreter on the “Oral Oath at Help Centre” Form, and shall translate the oaths as well as any lawful questions put to the voter.

## **9. Scrutineers**

The purpose of a Scrutineer is to represent a specific candidate through appointment, during the Voting Period of the municipal election to observe the conduct of the voting and ensure it is being conducted in a fair, accessible and accountable manner.

**Appointment by Candidate and Qualification**

A candidate may appoint scrutineers to represent him/her at the Municipal Office and/or Help Centre during the opening of the voting system, and during the receipt of voting results, including during a recount.

The appointment shall be made using the “Appointment of Scrutineer” Form. 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.

**Number per Candidate**

Not more than one (1) scrutineer representing each candidate may be permitted at one time during the opening and closing of the voting system, however a scrutineer can represent more than one candidate. Only one candidate or his/her appointed scrutineer may be in attendance at a Help Centre at one time.

**Evidence of Appointment**

A person appointed as a scrutineer, before being admitted to the Municipal Office and/or Help Centre, shall show his/her applicable appointment form and provide proof of identity to the election official. The scrutineer/candidate must also take an “Oral Oath of Secrecy” Form at the Help Centre prior to fulfilling his/her duties as a scrutineer.

**Rights and Prohibitions**

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

The appointment of Scrutineers does not apply to Third Party Advertisers.

## **10. Voters' List**

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

In addition to those named in the Act as being entitled to receive the Voters' List, any member of the public may inquire if they are on the Voters' List at the Municipal Office, Help Centre, Revision Centre or on the municipal website from September 1, 2022 to 8:00 p.m. on October 24, 2022. After its production on September 15, the Interim Revision List shall be available for public inquiry in addition to being provided to those named in the Act.

### **Voters' List - Candidates Module**

The candidates shall receive login ID(s) and password(s) allowing them to access the Candidates Module as of September 1, 2022 where he/she can view the List of Electors. Before access to the Candidate's Module is provided, a candidate must submit a request in writing to the Clerk, or designate on the prescribed form – Declaration of Proper Use of the Voters' List.

When using this authorization, candidates can connect into the voting system and review elector list information to discern which electors have participated in the election at any time throughout the Voting Period, as well as any amendments made to the Voters' List. This capability does not provide the candidate information on how an elector has voted. It only provides information on whether or not the elector has participated in the election.

Third Party Advertisers will not be provided with access to the Candidates Module.

### **Revisions to the Voters' List**

Electors are encouraged to check if they are on the voters list, including verification of correct information and school board support, before September 1, 2022 through [voterlookup.ca](http://voterlookup.ca).

The period for revisions to the Voters' List is from September 1, 2022 until the close of voting on October 24, 2022. Persons, upon application in writing on the prescribed form or as otherwise specified by the Clerk, may have their name added, removed or information added or amended on the Voters' List. Revisions to the Voters' List will be conducted at the Municipal Office during regular office hours Monday to Friday, 8:30 a.m. to 4:30 p.m. and at a designated Revisions Centre and/or Help Centre during the established hours of operation including up to 8:00 p.m. on Voting Day. Additional dates as may be determined by the Clerk.

Alternatively, throughout the voting period up to and ending at 7:00pm on Voting Day, October 24, 2022, an eligible elector may apply to be added to the Voters' List on-line by accessing the portal through a website address to be provided at a later date and shall complete the declaration confirming eligibility together with uploading proof of identity and residence as prescribed in O. Reg. 304/13. A bona fide appointed election official will review the application and if he/she believes the information to be satisfactory shall add their name to the Voters' List and they will be assigned and emailed a Voter Information Letter containing voter credentials. If the election official is not satisfied with the information provided the election official may contact the individual via email or phone to review further or decline the application. The decision of the election official shall be final. Applications submitted through this portal are processed by election staff only and reviewed within 48 hours of being submitted.

Applications to remove another person's name from the Voters' List must be made in writing on the prescribed form to the Clerk from September 1, 2022 until close on October 24, 2022.

Electors added to the Voters' List before a date yet to be determined, will receive their Voter Information Letter by mail from Canada Post. Additional details on how to obtain a Voter Information Letter after the confirmed mail-out date will be provided as soon as available.

Election officials will respond to all written, telephone and in-person inquiries about entries on the list by the next business day. A Voter Information Letter will only be mailed or issued to electors entitled to vote.

## **11. Results**

### **Counting Votes**

The Clerk, at 8:00 p.m. on October 24, 2022, shall arrange for the close and deactivation of the voting system.

Notwithstanding the above, the Clerk shall keep the Help Centre access open until confirmation is received that all eligible electors in the Help Centre or that are logged in to the voting system at 8:00 p.m. have completed voting.

The results centre shall be the 3<sup>rd</sup> Floor of the Collingwood Public Library in the Community Room.

The Returning Officer or designated Auditor will then conduct a test to confirm that no votes can be cast.

In the results centre, the Clerk shall then produce the results report from the voting system. Those present, including the Clerk, election officials, auditor, candidates (or their scrutineers), shall sign the report indicating the unofficial results and votes cast. Candidates and scrutineers will be required to provide proof of identity prior to entry and electronic devices, personal belonging will be secured outside of the designated results area to ensure results are only publically available no earlier than 8:15 p.m. Entry will not be permitted before 7:30 p.m. Anyone who is creating a disturbance will be removed as directed by the Clerk.

### **Notice of Results**

The unofficial results of each candidate shall be made available by the Clerk no earlier than 8:15 p.m. on Monday, October 24, 2022 (Voting Day) at the 3<sup>rd</sup> Floor of the Collingwood Public Library in the Community Room, and the Clerk shall have posted the same **Unofficial Results** on the municipal website.

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

Notice shall be provided to the County of Simcoe using the "Notice to Simcoe County" Form 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, as well as the alternate member pending the required appointment by-law being passed.

Notice of election results for each school board race shall be provided to the responsible Municipal Office for each of the elections using the “Notice of School Boards Results” Form.

## **12. Recount**

A recount under sections 56, 57, or 58 of the Act shall be conducted in the same manner as the original count unless ordered otherwise by a judge.

A recount is required when:

- there is a tie vote where both or all candidates cannot be declared elected (Automatic);
- by resolution of Council (for council offices);
- by resolution of local board (for offices on a local board);
- by order of the Minister (for questions submitted by the Minister);
- by order of the Superior Court of Justice.

### **Who Conducts Recount**

The Clerk conducts all recounts for elections for which he or she is responsible, except recounts conducted by the Superior Court of Justice upon appeal.

### **Tied Vote Recount**

Where there is a tied vote for the election of a candidate to an office and both or all of the candidates cannot be declared elected, the Clerk must hold a recount within 15 days after the declaration of the results of the election.

If required, Dominion Voting Systems Inc. shall provide any documentation to support the integrity, security and accuracy of the electronic voting system.

### **Council, Local/School Board or Minister Request for Recount**

Within 30 days after the Clerk’s declaration of the results, a council, local/school board may pass a resolution or the Minister may make an order requiring a recount.

The recount is to be held within 15 days after the resolution is passed or the order is made. The resolution for a recount must be passed no later than 30 days after the declaration of the results. An order of the Minister must be made within the same time frame. The incoming council or local board is no longer able to make a decision on a recount.

### **Application to Superior Court of Justice**

A person who is entitled to vote in an election and who has reasonable grounds for believing the election results to be in doubt may apply to the Superior Court of Justice for an order directing the Clerk to hold a recount.

The application must be commenced within 30 days after the Clerk’s official declaration of the results. The court, if satisfied there are sufficient grounds, shall make an order requiring the Clerk to hold a recount. The recount is to be held within 15 days after the Clerk receives a copy of the order.

### **Votes for Candidates to be included in a Recount**

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.

### **Persons Present at a Recount**

The following are permitted to be present during a recount:

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

### **Notification of Recount**

The Clerk shall give notice of the recount date, time and place on the "Notice of Recount" Form 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, and provided on the municipal website.

### **Recount Process**

Once the recount process has commenced, it must continue until completed. 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.

### **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**

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 the “Declaration of Recount Results” Form at the Municipal Office and on the municipal website. Such Declaration shall be sent to everyone previously given notice of the recount.

### **13. Emergencies**

In the event of any condition, or any emergency, or any circumstance that may undermine the integrity of the election, the Clerk has the discretion to declare an emergency and make any arrangements he/she deems necessary for the conduct of the election.

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 its ability and in keeping with the circumstance. If required, the Clerk may consider alternate options for any part of the election process. Dominion Voting Systems Inc. will take direction from the Clerk as to what actions will be taken.

### **14. Third Party Advertisers (TPA)**

The purpose of a third party advertiser is to provide advertising in any medium that supports or opposes a candidate or “yes” or “no” vote on a question on the ballot. Third party advertisers work in a similar way as candidates as they are required to register with the Clerk, and also have rules with respect to contributions, expenses and financial reporting.

Registration of third party advertisers can be accepted by the Clerk or designate from May 2, 2022 to October 21, 2022 on the prescribed form during regular office hours.

A guideline to third party advertisers has been prepared by the Ministry of Municipal Affairs and is available here: <https://www.ontario.ca/files/2022-03/mmah-2022-third-party-advertisers-guide-en-2022-03-31.pdf> .

#### **Registration – Third Party Advertisers**

An individual who is normally a resident in Ontario, corporation that carries on business in Ontario or trade union that holds bargaining rights for employees in Ontario may, in person or by an agent, file with the clerk of the municipality responsible for conducting an election a notice of registration to be a registered third party advertiser for the election. The notice must be filed on the prescribed form and must include a declaration of qualification signed by the individual or by a representative of the corporation or trade union, as the case may be.

The notice of registration must be filed with the clerk of the municipality where the intended advertising is to be placed.

It should not be assumed that certification of a registration for third party advertising will be completed at the time of receiving the registration form, however the applicant will be notified

within 24 hours to whether their notice of registration has been certified and if not, the reason why it has been denied. The Clerk will make every effort to certify the registration by 4:30 p.m. on the close of registration (October 21, 2022) if received within 24 hours of close of registration.

No spending, campaigning or advertising may occur by a third party advertiser until the notice of registration has been certified by the applicable municipal clerk.

The following persons and entities are not eligible to file a notice of registration to be a TPA:

1. A candidate whose nomination has been filed under section 33.
2. A federal political party registered under the *Canada Elections Act* (Canada) or any federal constituency association or registered candidate at a federal election endorsed by that party.
3. A provincial political party, constituency association, registered candidate or leadership contestant registered under the *Election Finances Act*.
4. The Crown in right of Canada or Ontario, a municipality or local board.

**For greater certainty, third party advertisements shall not be under the direction of a candidate whose nomination has been filed under section 33 of the MEA.**

### **Advertisement Requirements**

Third Party Advertisements must contain the following information:

1. The name of the registered third party.
2. The municipality where the registered third party is registered.
3. A telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

Prior to the appearance of any third party advertising, the registered third party advertiser must provide the following information to the broadcaster or publisher in writing:

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

All TPA signs must adhere to the requirements of the Town's Election Sign By-law.

### **Requirements of Broadcasters or Publishers**

No broadcaster or publisher shall cause a third party advertisement to appear during the restricted period (May 1 to October 21, 2022) if the registered third party has not provided them with the following:

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

The broadcaster or publisher of a third party advertisement shall maintain records containing the following information for a period of four years after the date the advertisement appears and shall permit the public to inspect the records during normal business hours:

1. The information provided by the registered third party as listed above.
2. A copy of the advertisement, or the means of reproducing it for inspection.
3. A statement of the charge made for its appearance.

### **Campaign – Registered Third Parties**

Registered Third Parties are required to abide by the campaign regulations and submit the required financial statements, as set out in the MEA.

### **Use of Corporate Resources during an Election Year**

The Use of Corporate Resources and Election Campaign Activities Policy (Appendix B) noted in Section 7 of this manual also apply to Third Party Advertisers. Please reference this policy when considering the use of corporate services/facilities.

## **15. Election Records**

### **Candidates**

All Voter information obtained by the candidate during the 2022 Municipal Election shall be destroyed by the candidate 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)**

Subject to a Judge's order or recount proceedings, after 120 days from declaring the results under s.55, the Clerk shall destroy any records relevant to the completed ballots in the presence of two witnesses who shall complete the "Witness Statements as to Destruction of Records" Form. The Clerk may also destroy any other documents and materials related to the election. 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.

### **Third Party Advertisers**

All Third Party Advertisers and its Broadcasters and Publishers must maintain their records in accordance with the Municipal Elections Act.

## **16. Corrupt Practices**

Although many provisions of the Act 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.

### **Penalties**

An individual who is convicted of an offence is liable to penalties that include but are not limited to a maximum fine of \$25,000 and / or a maximum imprisonment of six (6) months.

### **Mail Tampering - Criminal Offence and Prosecution**

Notification of the voting process and how electors can vote will be provided in the Voter Information Letter. 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.

## **17. Language**

**English:** For the purposes of this election all notices, forms and other information provided under the Act for the offices of municipal council and English public or separate school board will be provided for in English only.

**French:** For the purposes of this election all notices, forms and other information provided under the Act for the offices of French public or separate school board will be made available in **both** English and French.

## **18. Amendments to Procedures**

The Clerk at any time has the right to amend this document to facilitate the vote, vote count, tabulation of the votes and security. Other procedures relevant to the municipal election will be inserted into this Manual as they become available and noted as updated unless it is for a typographically correction in which the process/intent of the procedure is not altered. The Clerk's ruling on any interpretation of this document is final.

**19. Forms**

The following is a list of Forms available for the purpose of the municipal election. Additional forms have been prepared for the 2022 Municipal Elections and will be utilized when necessary or desirable for conducting the election under the direction of the Clerk, as per Section 12(1) and 12(2) of the Municipal Elections Act, 1996, S. O. 1996.

<b>Form #</b>	<b>Form Name</b>	<b>Date Inserted</b>
Form 1	Nomination Paper – Candidates and School Board Trustees	May 31, 2022
Form 2	Nomination Endorsement - Candidates	May 31, 2022
Form 3	Appointment of Voting Proxy	May 31, 2022
Form 4	Campaign Financial Statement (blank)	May 31, 2022
Form 5	Financial Statements – Subsequent Expenses	May 31, 2022
Form 6	Notice of Extension of Campaign Period	May 31, 2022
Form 7	Notice of Registration – Third Party Advertiser	May 31, 2022
Form 8	Financial Statement Auditors Report – Third Party Advertiser	May 31, 2022
Form 9	Declaration of Identity	May 31, 2022
EL14	Candidates Declaration – Proper Use of Voters List	May 31, 2022
EL18(A)	Declaration of Qualifications - Council	May 31, 2022
EL18(B)	Declaration of Qualifications – School Board Trustee	May 31, 2022
EL18(C)	Declaration of Qualifications – Third Party Advertiser	May 31, 2022
EL27	Oral Oath of Friend or Interpreter	May 31, 2022
EL50	Instructions – Appointment of Voting Proxy	May 31, 2022
EL52	Consent to Release Personal Information	May 31, 2022

**Appendix A – Nomination/Registration Procedures**



## **2022 Municipal and School Board Election**

# **Nomination/Registration Procedures for Candidates and Third Party Advertisers**

**Town of Collingwood**  
**2022 MUNICIPAL ELECTION NOMINATION/REGISTRATION PROCEDURES**

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## **Purpose**

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To provide election staff with a clear understanding of their responsibilities in accepting nominations for the office of council and school board trustees and registrations for third party advertisers, and how they are to be processed.

## **Scope**

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This procedure applies to all election staff delegated responsibility to provide general information, accept and/or certify nominations and registrations associated with the municipal election.

## **PART 1: Council and School Board Trustee Nomination Procedure**

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### **1.1 General Information**

Council of the Town of Collingwood is elected through an at-large election process. There are nine positions of office for the Town of Collingwood:

- Mayor (one (1))
- Deputy Mayor (one (1))
- Councillor (seven (7))

The term of office is a four (4) year term commencing November 15, 2022. Voting Day for the 2022 municipal election is **October 24, 2022**.

The positions for school board trustee include:

- English Public School Board Trustee (Simcoe County District School Board)
- English Separate School Board Trustee (Simcoe Muskoka Catholic District School Board)
- French Public School Board Trustee (Conseil scolaire Viamonde)
- French Separate School Board Trustee (Mon Avenir scolaire catholique)

School Boards must provide municipalities with a copy of the Report of Determination and Distribution of School Board Members by no later than April 3, 2022. *Education Act O. Reg. 412/00 s. 9(2)* Based on the findings of this report, the **Town of Collingwood is responsible for collecting nominations for the Simcoe County District School Board (English Public) Trustee for the area of Collingwood and Wasaga Beach, with one trustee to be elected for this area.**

Nominations for Simcoe Muskoka Catholic District School Board (English Separate) Trustee are to be directed to the Township of Springwater, with one trustee to be elected.

Nominations for Conseil scolaire Viamonde - French Public School Board Trustee and Mon Avenir scolaire catholique - French Separate School Board Trustee are to be directed to the City of Barrie, with one trustee to be elected to each school board.

Those interested in running as a candidate will be provided with the following documents:

- The 2022 Candidates' Guide for Ontario Municipal and School Board Elections
- Nomination Paper (Form 1)
- Nomination Endorsement Form (Form 2)
- Declaration of Qualifications
- Release of Personal Information Consent
- Preliminary Certificate of Maximum Campaign Expenses and Contributions
- Town of Collingwood Municipal Election Procedures Manual (to be issued by June 1, 2022)

- Other documents as deemed appropriate

The 2022 Candidates' Guide for Ontario Municipal and School Board Elections provide candidates with general information related to their responsibilities, financial requirements and filing/withdraw procedures related to the 2022 municipal election.

As other resources will become available throughout the nomination period, the potential candidate should be advised to visit our website on a regular basis for updates. Once they have submitted a nomination paper, their email address provided on their submission will be added to a distribution list with new or important information made available to them through email by Clerk Services staff.

## **1.2 Candidate Identification**

All candidates must provide suitable identification and a qualifying address within the municipality when filing a nomination. If an agent is submitting a nomination on behalf of a candidate, a copy of the candidate's identification must be provided at the time of filing.

The surname provided on the identification by the candidate and the surname on the nomination paper must be the same. Some flexibility can be given to first names as further described in section 1.4.3.1 - *Name on Ballot*. **Nominations will not be accepted if a person fails to produce acceptable identification.**

Acceptable identification includes any two (2) of the following, one to include photo identification, that when provided together contains the name, citizenship and qualifying address of the candidate:

- Any government issued identification card
- Property tax bill
- Utility bill
- Bank Statement
- Mortgage, rental or lease agreement

A full list of acceptable identification can be found here: <https://www.ontario.ca/document/2022-voters-guide-ontario-municipal-council-and-school-board-elections/acceptable>

A copy of the candidates' identification shall be kept by the municipality. If a nomination is filed by an agent, a copy of the agent's identification shall be kept along with the candidates. All provided identification shall be kept by the municipality in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

### **1.2.1 No Permanent Address**

If a proposed candidate has no permanent address, the *Municipal Elections Act, 1996* provides the opportunity for the candidate to take an affidavit to swear their place of residence as being the location to which they return most often to sleep. This affidavit is conclusive proof of their qualifying address.

## **1.3 Qualifications of a Candidate**

Candidates are required to complete a declaration of qualifications at the time of filing their nomination paper, required to be signed in front of a Commissioner.

### **1.3.1 Qualifications - Election to Council**

A person is qualified to be elected or hold office who, as of the day he or she files his or her nomination, is:

- On voting day is entitled to be an elector under Section 17 of the *Municipal Elections Act, 1996*:
  - resides in the local municipality or is the owner or tenant of land there, or the spouse of such owner or tenant;
  - is a Canadian citizen;
  - is at least 18 years old; and
  - Is not prohibited from voting as noted or otherwise by law.
- Not disqualified for violations of financial requirements or violations of requirements for filing financial information.
- Not disqualified by any Act from holding such office.
- Not disqualified under the provisions as outlined in Sections 90(2) and 91(1) of the *Municipal Elections Act, 1996*.

Under S.29(1.1) of the *Municipal Elections Act, 1996*, despite Subsection (1), Section 258 of the Municipal Act, Section 9 of the Legislative Assembly Act and Section 219 of the Education Act, a sitting Senator, Member of Parliament (MP) or Member of the Provincial Parliament (MPP) may be nominated for local office. However, their nomination shall be rejected if they have not resigned their office as of the close of nominations.

Under s. 30(1), an employee of a municipality must take an unpaid leave of absence to be a candidate for that municipality beginning as of the day the employee is nominated and ending on voting day. An employee of a school board must take an unpaid leave of absence to be a candidate for any school board.

### **1.3.2 Qualifications - Election to School Boards**

Same as 1.3.1 with the following additions:

**English-language separate school board trustees** must meet both of the following requirements:

1. you must be a Roman Catholic
2. you or your spouse must be an English-language separate school board supporter

**French-language public school board trustees** must meet both of the following requirements:

1. you must be a French-language rights holder
2. you or your spouse must be a French-language public school board supporter

**French-language separate school board trustees** must meet all of the following requirements:

1. you must be a Roman Catholic
2. you must be a French-language rights holder
3. you or your spouse must be a French-language separate school board supporter

### **1.3.3 Disqualifications - Election to Council**

The following persons are disqualified from running for a position on council:

**Town of Collingwood**

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- Except during a leave of absence under s. 30, any employee of a municipality or a local Board as defined in the Municipal Affairs Act. An employee must be on leave as of the day they are nominated.
- A judge of any court
- A Senator<sup>1</sup>
- A Member of Parliament<sup>1</sup>
- A Member of the Provincial Parliament<sup>1</sup>
- A Crown Employee within the meaning of the *Public Service Act* who is a Deputy Minister or who is in a position or classification designated in the regulations made under that Act for the purposes of Section 11 thereof.
- A person who is serving a sentence of imprisonment in a penal or correctional institution, including a sentence being served in the evening or on weekends (this does not include a person serving a sentence at home).
- A corporation
- A person acting as executor or trustee or in any other representative capacity.
- A person who was convicted of the corrupt practices described in s. 90(3) of the *Municipal Elections Act*, disqualified from voting at an election until the next regular election has taken place after the election to which the offence relates, in addition to being liable to any other penalty provided for in this Act.
- A candidate convicted of a corrupt practice as described in s. 91(1) of the *Municipal Elections Act*, if the Voting Day in the current election is less than eight years after voting day in the election in respect of which he or she was convicted.
- A person disqualified for violations of financial requirements or violations of requirements for filing financial information.
- S. 423(1) of the *Municipal Act* provides that a member of a municipal council who knowingly votes to authorize the borrowing of any amount larger than permitted under s. 407 is disqualified from holding any municipal office for two years.
- S. 424(1) of the *Municipal Act* provides that a council applies any money raised for a special purpose or collected for a sinking or retirements fund to pay current or other expenditures other than those permitted by this Act, each member who votes for the application is disqualified from any municipal office for two years.
- S. 424(3) of the *Municipal Act* provides that if a council neglects in any year to levy the amount required to be raised for a sinking or retirement fund, each member of the council is disqualified from holding any municipal office for two years, unless the member shows efforts to produce the levying of the amount.
- The *Municipal Conflict of Interest Act* provides that a member can be disqualified from holding municipal office for a period of up to seven years is found to have contravened the Act.
- In the case of a death of a certified candidate before the close of voting pursuant to s. 39 of the *Municipal Elections Act*.
- Otherwise ineligible or disqualified under the *Municipal Elections Act* or any other Act.

#### **1.3.4 Disqualification - Election to School Boards**

The following persons are disqualified from running as a school board trustee:

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<sup>1</sup> Under the *MEA* a member of the Assembly (Ontario Legislature), House of Commons or Senate may be nominated, but if that person is still a member of those bodies as of the close of nominations on Nomination Day, the nomination shall be rejected by the Clerk.

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- Except during a leave of absence under s. 30, any employee of a municipality or a local Board as defined in the *Municipal Affairs Act*. An employee must be on leave as of the day they are nominated.
- A Clerk, Treasurer, Deputy Clerk or Deputy Treasurer of a municipality or an upper-tier municipality, all or part of which is included in the area of jurisdiction of the district Board or school Authority unless he or she takes an unpaid leave of absence, beginning no later than the day the person is nominated and ending on Voting Day.
- A Senator<sup>1</sup>
- A Member of Parliament<sup>1</sup>
- A Member of the Provincial Parliament<sup>1</sup>
- An inmate of a penal or correctional institution under sentence of imprisonment including a sentence being served in the evening or on weekends (this does not include persons serving house arrest).
- A corporation
- A person acting as executor or trustee or in any other representative capacity.
- A person who was convicted of the corrupt practice described in subsection 90(3) of the *Municipal Elections Act*, disqualified from voting at an election until the next regular election has taken place after the election to which the offence relates, in addition to being liable to any other penalty provided for in this Act.
- A person disqualified for violations of financial requirements or violations of requirements for filing financial information.
- In the case of a death of a certified candidate before the close of voting pursuant to s. 39 of the *Municipal Elections Act*.
- Otherwise ineligible or disqualified under the *Education Act* or any other Act.

## 1.4 Filing of Nomination Papers

### 1.4.1 Who can accept a nomination?

Nominations are to be handled by the following staff in order of position, and pending availability:

1. Clerk
2. Deputy Clerk
3. Coordinator – Clerk Services
4. Election Assistant

Email, telephone and walk-in enquiries regarding nominations are to be directed to any one of these staff members.

### 1.4.2 Timelines and Appointments

Nominations will only be accepted at the Clerk's Office located in the Town Hall, 97 Hurontario Street. Applicants are encouraged to schedule an appointment with a staff member approved to receive nominations at Town Hall during regular office hours. To schedule an appointment the individual inquiring should be directed to contact:

Clerk Services  
Town Hall, 97 Hurontario St., Collingwood, ON  
(705) 445-1030  
[election@collingwood.ca](mailto:election@collingwood.ca)

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Nominations will be accepted from May 2, 2022 to August 18, 2022 during regular business hours (Monday to Friday between 8:30am to 4:30pm) and August 19, 2022 from 9:00am to 2:00pm. Should there be a line-up of people wishing to file a nomination in the Clerk's Office at 2:00 PM, the Municipal Clerk shall assign a staff member to stand at the end of the line to ensure that no additional people join the line.

Only nominations with original signatures are acceptable. Faxed or emailed nominations will not be accepted. The nomination must be completed in full and filed in person by the candidate or an agent of the candidate and shall include:

- a) Nomination Paper (Form 1)
- b) Nomination Endorsement (a minimum of 25 endorsements required)\*;
- c) Declaration of Qualifications (EL18(A) or EL18(B))
- d) Personal Information Release Form
- e) Two (2) pieces of Identification
- f) Applicable nomination fee (\$200 for office of Mayor and \$100 for all other offices)

\* not applicable to school board trustees or third party advertisers

Nominations that do not include the above items will not be accepted.

The date and time in which the nomination is filed shall be recorded by the staff member accepting the nomination paper at the time of filing.

**NOTE:** If it is known to staff that the candidate is definitely not eligible to be elected (e.g. is not qualified to run for the office, did not file the financial statement from the previous election or has not provided identification) staff must refuse to accept the Nomination. Staff must bring these situations to the attention of the Municipal Clerk immediately.

### **1.4.3 Nomination Paper Verification**

Staff must check the submitted Nomination paper to ensure all boxes have been completed as follows:

#### **1.4.3.1 Nominee's Name - Name on Ballot**

The 'Nominee' provided on the nomination paper is the name of the candidate as it will appear on the ballot. The first and last name of the candidate shall be confirmed with the candidate or agent at the time of filing. The candidate may shorten their first name subject to the agreement of the Clerk (i.e. Anthony shortened to Tony). Under no circumstances can a candidate alter or have an alternate surname or an occupation identified on the ballot (i.e. Dr, LL.B, etc.).

#### **1.4.3.2 Selection of Office**

Only one of the following positions can be selected by the candidate upon time of nomination:

1. Mayor
2. Deputy Mayor
3. Councillor
4. English Public School Board Trustee (Simcoe County District School Board)

The ward that is to be identified for the school board trustee is: Collingwood Wasaga Beach. For all other offices, the candidate should enter "at large".

Inform Candidate of County Responsibilities:

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It should be noted to the nominee that the Mayor and Deputy Mayor not only represent the residence of the Town of Collingwood, but also sit on the council of the upper tier municipality, being the County of Simcoe. The Councillor who receives the highest votes in the municipal election for that term is designated as the Alternate Member to the County of Simcoe council, meaning that if the Mayor or Deputy Mayor is absent, the Alternate Member may attend in their absence. If the Alternate Member forfeits their appointment as an alternate, then it shall be offered to the Councillor with the next highest votes, and so on until the position is accepted, and the respective Council by-law is enacted.

For the following school board, the Township of Springwater has been identified as the lead municipality and thus the Nominations are to be filed in Springwater:

- English Separate School Board Trustee (Simcoe Muskoka Catholic District School Board)

For the following school boards, the City of Barrie has been identified as the lead Municipality and thus the Nominations are to be filed in Barrie:

- French Public School Board Trustee (Conseil scolaire Viamonde)
- French Separate School Board Trustee (Conseil scolaire de district catholique Centre-Sud)

#### 1.4.3.3 Qualifying Address

Make sure the address is legible. Check the qualifying address against the address provided on the candidate's identification. School Board Trustee candidates must reside within the jurisdiction of the school board they want to run for. In Collingwood, we are accepting nominations for the Simcoe County District School Board – Collingwood Wasaga Beach Area.

Candidates running for office on Council are required to have a Collingwood address. Double check the address on the County mapping website as some properties are identified as a Collingwood address but are located in a surrounding municipality. Addresses will also be verified at time of certification by the Clerk or designate.

#### 1.4.3.4 Contact Information of the Candidate

Make sure the contact information listed on the nomination form is legible. Email will be the main source of communication, but some documents are required to be sent by mail as per the MEA.

If an email address is not available at the time of filing, the candidate may update it when they have one.

At least one telephone number is required to be provided on the nomination paper. If the candidate wishes to provide a campaign office or business telephone number for electors to contact them, this can be provided on the Candidate Personal Information Release Form by the candidate and posted to the website accordingly.

**NOTE:** The use of municipal email addresses or phone numbers by an incumbent on a nomination form or for campaign purposes is prohibited.

#### 1.4.3.5 Date and Time of Nomination

The date and time of when a nomination is file is extremely important. Please ensure that the date and time are properly identified on the nomination form underneath the Declaration of Qualification section of the form, the Nominee or Agent provide their initials in the box, and the staff member accepting the nomination paper signs the "Signature of Clerk or Designate" line verifying the date and time are correctly recorded. This signature does not have to be the same as the staff member who commissioned the nomination paper.



#### **1.4.4 Filing Fee**

Completed nomination papers are submitted in person or by an agent and must be accompanied with the Nomination Fee (\$200 for the Office of Mayor and \$100 for all other offices). The fee may be accepted in cash, certified cheque, money order or debit, payable to the Town of Collingwood. If paid by cash, the money is immediately deposited into the **ELECT** quick code which is associated with GL 01-100-1110-46350.

##### **1.4.4.1 Refund of Filing Fee**

The only circumstance a candidate can receive a refund of the nomination filing fee is if the documents (financial statements) required under subsection 88.25 (1) of the *Municipal Elections Act, 1996* are filed on or before 2 p.m. on the filing date (March 31, 2023). Notification of refunds will be provided to all candidate after March 31, 2023.

If a candidate withdraws their nomination, they are still required to file a campaign financial statement covering all the financial transactions made in their campaign. If their campaign did not have any financial transactions, they must file a financial statement reporting this.

Nomination fees will be refunded by the clerk if a financial statement is provided by the deadline. Upon verification of the financial statement by the Clerk and eligibility to receive the refund, staff will complete a cheque requisition form and forward same to Accounts Payable for processing with a letter explaining the refund.

#### **1.4.5 Endorsements**

Nomination endorsements are only applicable to candidates seeking election to a municipal council and do not apply to School Board Trustees or Third Party Advertisers. A minimum of 25 endorsements are required per candidate. The person endorsing the nomination must be eligible to vote in the municipal election, if a regular election was to be held on the day that the person endorses the nomination. An individual may endorse more than one nomination. Endorsements must be submitted on the prescribed form (Form 2).

To ensure the endorsements meet the threshold of the Municipal Elections Act, it is encouraged that candidates obtain more than the required 25 endorsements. This will provide the candidate with some flexibility should an endorsement be rejected at the time nominations are certified. Should there not be the required amount of endorsements that meet the requirements of the MEA, the nomination may be rejected by the clerk upon time of certification.

#### **1.4.6 Declarations - Commissioner**

When completing the Nomination Paper and Declaration of Qualifications, the papers must be signed in the presence of a commissioner for taking oaths and affidavits. Papers that are not commissioned will not be accepted. Please note that selected municipal staff authorized as Commissioner of Oaths are available to commission the required Nomination Papers and Declaration of Qualification for those candidates filing their nomination in person, free of charge. If a nomination is filed by an agent, the candidate's declaration must be completed and commissioned prior to filing. If the form is not commissioned upon filing, the nomination will not be accepted.

#### **1.4.7 Personal Information Release**

The Candidate Personal Information Release Consent Form must be completed by the candidate and is used by the Clerk's Office to provide candidates with proper notice of the collection, use and disclosure of their personal information by the municipality conducting the election.

#### **1.4.8 Updating Candidates Information**

All updates to candidate(s) information including email addresses, phone numbers, physical and mailing addresses shall be provided in writing to the Clerk at the candidate(s) earliest opportunity. Once the nomination paper has been certified by the Clerk, it cannot be altered.

#### **1.4.9 Certification of Nomination Papers by Clerk or Designate**

This field is left blank on the Nomination form until the close of nominations (August 19, 2022).

Prior to the end of the Nomination period, Nomination Papers are reviewed for the purpose of certification. The Clerk may choose to perform a preliminary review of nominations received prior to Nomination Day.

#### **Ineligible Candidates**

A list of ineligible candidates (on colour paper) is kept in the blue “Nominations Binder” for quick and easy reference. This list is based on those candidates who are ineligible based on penalties imposed by the MEA and not certified by the Clerk.

#### **1.4.10 Corrections to Nomination Form**

Any changes made to a nomination form between the time it was submitted to close of nomination must be clearly identified and initialed by the candidate and staff delegated to accept a nomination.

**NOTE:** If any information is added to the form after filing, it must include the initials of the candidate and clerk and date of the change.

### **1.5 List of Candidates**

A list of candidates, including their name and office they are running for, will be provided to the public upon filing of nomination papers, or as soon as practicable following receipt of the nomination. An unofficial candidate list will be posted at the Town Hall, on the municipal website, and may be listed on other social networking media. This information may be updated on a daily basis where appropriate. Additional information such as the candidates address, telephone number, and a link to his or her candidate website or social media account may be posted upon consent of the candidate.

### **1.6 Change of Office of Withdrawal of Nomination**

#### **1.6.1 Changing from Deputy Mayor or Councillor to Mayor**

The candidate or agent on behalf of the candidate must complete a Nomination Paper and Declaration of Qualifications for the new position of office. The candidate must pay the difference of \$100.00 in the nomination fee upon filing by cash, certified cheque, debit, credit card or money order.

#### **1.6.2 Changing from Mayor to Deputy Mayor or Councillor**

The candidate must complete a Nomination Paper and Declaration of Qualifications for the new position of office. The difference of \$100.00 in the nomination fee shall be refunded to the candidate within six weeks of filing.

### **1.6.3 Changing from Deputy Mayor to Councillor; or Changing from Councillor to Deputy Mayor**

The candidate must complete a Nomination Paper and Declaration of Qualifications for the new position of office. Please note the nomination fee for these two positions is the same so no refunds or additional fees apply.

### **1.6.4 Changing from School Board Trustee to Councillor, Deputy Mayor or Mayor; or Changing from Councillor, Deputy Mayor or Mayor to School Board Trustee**

The candidate must complete a Nomination Paper and Declaration of Qualifications for the new position of office. The nomination fee is not transferable. The candidate must pay an additional nomination filing fee for whatever position of office they are filing for and the original nomination fee will be refunded to the candidate within six weeks of filing.

### **1.6.5 More Than One Nomination per Candidate**

If a person who has filed nomination papers for a position of office and has since filed nomination papers for another position of office to which the *Municipal Election Act, 1996* applies, the first nomination shall be deemed to have been withdrawn at the time the second nomination is filed. A candidate may only be nominated for one office at a time.

### **1.6.6 Withdrawal Process**

Prior to accepting a new nomination or if a candidate wishes to withdraw completely, the candidate must submit a letter or form withdrawing their candidacy, in person, by **no later than 2:00 p.m. on August 19, 2022**. Any withdrawals sent by mail, email or fax will not be accepted. If an agent is filing the withdrawal letter on behalf of the candidate, the candidate must provide the agent with a letter stating the agent has the authority to file the withdrawal letter on their behalf. The Clerk is required to confirm the withdraw of a candidate by phone should the notice be provided by an agent acting on behalf of the candidate.

Identification of the candidate and/or agent must be provided at the time the letter of withdrawal is filed. A copy of the identification provided shall be filed with the candidate's nomination papers along with the letter of withdrawal.

### **1.6.7 Update List of Candidates**

The "List of Candidates" filed with the Clerk and provided to the public shall be amended to reflect the withdrawal by not later than the end of the business day following the date in which the withdrawal was filed.

## **1.7 Certification of Nominations**

On or prior to 4:00 PM on the Monday following Nomination Day, all nominations filed are examined and, if satisfied the person is qualified to be Nominated and the Nomination complies with the Act, the Municipal Clerk, or designate, certifies the Nomination, unless there are additional nominations (See "Additional Nominations" section). If not satisfied, the Municipal Clerk, or designate, shall as soon as possible, give notice to the person who sought to be Nominated and all other candidates for that office that the Nomination will not be certified.

The Municipal Clerk may consider the following criteria in his or her decision to reject or clarify:

- Candidate has refused or declined to provide proof of identification suitable to the Clerk;
- Candidate does not satisfy the requirements set out in the Act regarding eligibility;
- The nomination form is incomplete;
- The required endorsements cannot be verified;

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- The prescribed filing fee has not been paid; and
- The necessary financial disclosure was not filed for the previous election or any by-election in which the individual may have been a candidate.

The Clerk's decision to clarify or reject a nomination is final.

### **1.8 Acclamations**

If, at 4:00 p.m. on Monday August 22, 2022, the number of certified candidates for an office is the same as or less than the number to be elected, the Clerk shall immediately declare the candidate or candidates elected by acclamation.

If a candidate is elected by acclamation, they are still required to file a campaign financial statement.

### **1.9 Exception for Additional Nominations**

If the number of nominations filed for an office and certified by the Clerk in accordance with section 35 of the Municipal Elections Act is less 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 the Wednesday following Nomination Day. Withdrawal of additional nominations would be required before 2:00 p.m. on August 24, 2022. Any additional nominations shall be certified by the Clerk on August 25, 2022 by 4:00 p.m.

### **1.10 Documentation of Nominations**

Make two copies of the Nomination Paper:

- Give the candidate or agent their copy
- Place the other copy in the blue binder at the front counter. These copies can be used for public viewing.

The original shall be filed in the Candidates' File maintained by Clerk Services.

#### **1.10.1 Candidate File**

A separate file is created for each candidate, with candidate information being added to Municipal Voter View and posted to the municipal website with the information agreed to be released by the candidate on the Candidate Personal Information Release Form. Clerk Services shall promptly create the folder and file it in the Clerks Office, according to the standard file management practices. The Clerk, or designate, shall make every effort to prepare and file the candidate's file within the same business day as the nomination was filed.

Ensure a receipt of payment of the nomination fee is provided to the candidate or agent and a copy is save in the candidate file. This receipt will be needed as proof of payment when verifying the nomination papers and to refund the nomination fee upon receipt of the candidates financial statement.

The candidate files are retained in accordance with the retention period set out in the MEA (i.e. December 31<sup>st</sup> the year of the next Municipal Election).

### **1.11 Review Forms and Documents (Candidate's Information Package)**

Review all the forms and documents incorporated into the Candidate's Information Package with the candidate or agent. The candidate or agent may either complete the forms at the time of filing the Nomination or take them away and return them at a later date, as applicable.

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The forms and documents to be reviewed with candidates or agents are, but are not limited to, the following:

- Nomination Paper (Form 1)
- Endorsement of Nomination Form (Form 2)
- Declaration of Qualifications
- Candidate Personal Information Release Form
- Preliminary Certificate of Maximum Campaign Expenses and Campaign Limits
- Financial Statements – Auditor’s Report Form 4
- Candidate Financial Institution Number Letter
- Municipal Resources:
  - Election Sign By-law Information
  - Policy - Use of Corporate Resources for Election Purposes
  - Policy – Council Staff Relations
  - Code of Conduct
  - Election Procedures (to be issued by June 1)
- External Resources:
  - Ministry of Municipal Affairs and Housing – 2022 Candidates’ Guide for Ontario Municipal and School Board Elections
  - Candidate’s Guide to Accessible Elections
  - Association of Municipalities Ontario – Online Course Information (Municipal Office)
  - Municipal Conflict of Interest Act

## **Part 2: Third Party Advertisers Registration Procedure**

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### **2.1 General Information**

The Municipal Elections Act (MEA) includes rules applicable to third party advertising. A third party advertisement is any ad that promotes, supports or opposes a candidate in an election. Being registered in a municipality allows the third party advertiser to advertise in support or opposition of any candidate or candidates who will be voted on by the people in that municipality. This includes candidates running for local council, school trustee and candidates running for offices on an upper tier council.

It is important to note that a third party advertiser can only advertise in the municipality where they are registered. There is no limit on the number of municipalities where a third party advertiser can register. If a third party advertiser wants to advertise in more than one municipality they must register in each municipality where they want to advertise.

### **2.2 Registration – When and where can a third party advertiser registration be submitted**

Registration for Third Party Advertisers open May 2, 2022 and can file a registration until the close of business on Friday, October 21, 2022 at the Town Hall, 97 Hurontario Street, Collingwood during regular business hours.

Those wishing to register are encouraged to set up a appointment ahead of time to ensure staff availability by contacting Clerk Services at [election@collingwood.ca](mailto:election@collingwood.ca) or by calling 705-445-1030.

Registration must be filed in person or by an agent. Electronic or fax submissions are not accepted.

#### **2.2.1 Third Party Advertisers Information Packages**

Those interested in registering as a Third Party Advertiser will be provided with the following documents:

- 2022 Third Party Advertisers' Guide
- Notice of Registration (Form 7)
- Declaration of Qualifications
- Preliminary Campaign Expense Limits
- Form 8 – Third Party Advertiser Financial Statement
- Broadcaster and Publisher Responsibilities
- Election Sign Requirements

### **2.3 Review Forms and Documents (Third Party Advertisers)**

The Clerk or designate shall review the registration form, ensuring that all applicable fields have been completed and the declaration of qualifications has been commissioned. Original signatures must be on all forms. The notice of registration is to include the following documents, completed by the registrant:

- Notice of Registration (Form 7)
- Declaration of Qualifications

### **2.3.1 Eligibility**

The following are eligible to register as a third party advertiser:

- any person who is a resident in Ontario
- a corporation carrying on business in Ontario
- a trade union that holds bargaining rights for employees in Ontario

If two or more corporations are owned or controlled by the same person or people, or if one corporation controls another, they are considered to be a single corporation. If the same person or people own or control multiple corporations, only one of those corporations may register to be a third party advertiser in a municipality.

There is no restriction against family members or campaign staff of candidates registering to be third party advertisers. However, third party advertising must be done independently of the candidate. If a person with close ties to a candidate wants to register they should consider how these activities may look to the public and how they would be able to demonstrate that they were not working in co-ordination with the candidate.

You are **not eligible** to register as a third party advertiser if you are:

- a candidate running for any municipal council or school board
- groups, associations or businesses that are not corporations  
    Example: neighbourhood associations, clubs or professional associations  
    Members could however register as individual third party advertisers
- candidates in the provincial election (they may register after the provincial election, when they are no longer a candidate)
- federal and provincial political parties - political parties are not permitted to be financially involved in municipal elections

### **2.3.2 Who can accept a Registration?**

Registrations are to be handled by the following staff in order of position, and pending availability:

1. Clerk
2. Deputy Clerk
3. Coordinator – Clerk Services
4. Election Assistant

Email, telephone and walk-in enquiries regarding Third Party Advertisers are to be directed to any one of these staff members.

### **2.3.3 Certification of Registration**

The municipal clerk must be satisfied that the individual, corporation or trade union is eligible in order to certify the registration and may require that identification or additional documents be provided. When certifying the registration, the Clerk or designate shall review the registration form, ensuring that all applicable fields have been completed and the declaration of qualifications has been commissioned.

A person who is filing as the representative of a corporation or a trade union should make sure that they can provide proof that they are authorized to act on the corporation or trade union's behalf.

All staff listed in section 2.3.2 are delegated authority to accept and certify a registration of a Third Party Advertiser.

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The registration is required to be certified by the Clerk or designate prior to any advertising occurring of the Third Party Advertiser. If the Clerk or designate is not satisfied that the individual making application is eligible, the registration is to be denied.

It should not be assumed that certification of a registration for third party advertising will be completed at the time of receiving the registration form, however the applicant will be notified within 24 hours to whether their notice of registration has been certified and if not, the reason why it has been denied.

### **2.3.4 Where can a TPA be registered?**

Third party advertisers can only register in any lower-tier or single-tier municipality (city, town, township, etc.). They cannot register in an upper-tier municipality (a region or county).

Third party advertisers do not need to decide before they register which candidate or candidates they want to support or oppose, and they do not have to tell the clerk what their intentions are.

A third party advertiser can only advertise to voters in the municipality where they are registered. There is no limit on the number of municipalities where a third party advertiser can register. If a third party advertiser wants to advertise to voters in more than one municipality, they must register in each municipality where they want to advertise.

### **Advertisement Requirements:**

Third party advertisers must identify themselves and provide mandatory information on all advertising beginning May 2 until the close of voting on October 24, 2022. Third party advertisements must contain the following information:

- Name of the registered third party advertiser;
- Municipality where the third party advertiser is registered; and
- Telephone number, mailing address or email address at which the registered third party advertiser may be contacted regarding the advertisement.

### **What if a third party advertiser wants to register in more than one municipality?**

If a third party advertiser registers in more than one municipality, each of those registrations is considered to be a separate advertising campaign. Once the third party advertiser registers, they must keep each advertising campaign separate, and ensure that they follow the rules in each municipality where they are registered:

- The identification required on signs, advertisements and other materials must indicate that the third party advertiser is registered in that municipality.
  - There must be a separate bank account for each campaign.
  - Contributions may not be shared between the advertising campaigns – if a contributor has given money to the advertising campaign in municipality A, that money cannot be used to fund expenses in municipality B.
  - If the third party advertiser wants to use the same signs or the same advertisement in more than one municipality, the separate advertising campaigns can produce a “joint” advertisement. The advertisement would indicate that the third party advertiser is registered in both municipality A and municipality B, and each advertising campaign would pay for its share of the expense for the advertisement.
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- The third party advertiser must file a separate financial statement in each municipality where they were registered. The financial statement must reflect the financial activities relating to advertising in that municipality.



### **2.3.5 Withdrawal of Registration**

A registered third party advertiser can withdraw their registration by notifying the clerk in writing. The last day to provide such notice is October 21, 2022.

### **2.3.6 Filing Fee**

There is no registration fee for third party advertisers.

### **2.3.7 Withdraw a Registration**

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**Resources:** [Municipal Elections Act](#)  
[2022 Candidates' Guide](#)  
[2022 Third Party Advertisers' Guide](#)  
[2022 Voters' Guide](#)  
[Declaration of Identity \(Form 9\)](#)