

Township of Clearview

2022 Municipal Election Procedures



CLEARVIEW

**Approved by the Clerk/Returning Officer for the
Township of Clearview on April 12, 2022**

Please Note: The procedures contained within are
subject to change at any time, up to and including
Voting Day at the discretion of the Clerk

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Introduction

The Township of Clearview is conducting the 2022 Municipal Election in accordance with the [Municipal Elections Act, S.O. 1996](#), as amended, and has chosen to use an alternative voting method under S.42 (1)(b), being Internet Voting as well as Traditional Ballots with Tabulators. These voting methods have been approved under By-law 21-89, as amended.

The purpose of this document is to establish procedures for the use of Internet Voting and voting using Traditional Ballots with Tabulators, which are consistent with the principals of the Municipal Elections Act, 1996 (MEA).

The Clerk, if deemed necessary, at any time, up to and including Voting Day (October 24th, 2022), may amend procedures, documents, etc. Amendments to the procedures will be e-mailed to each Candidate to the address shown on filed Nomination Forms and posted on the Township of Clearview website www.clearview.ca

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

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

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

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

Questions with respect to these procedures may be directed to:

Sasha Helmkey, Clerk/Returning Officer
Township of Clearview
217 Gideon Street
Stayner ON, L0M 1S0

Telephone: (705) 428-6230 ext. 274
E-mail: election@clearview.ca
Website: www.clearview.ca

Welcome Candidates, Third Party Advertisers & Electors

The 2022 Municipal Election will be held on **Monday, October 24th, 2022**. The term of office is four years, beginning on November 15th, 2022 and ending November 14, 2026.

Unofficial results will be posted on the Township's website at www.clearview.ca (as soon as possible after the close of the Election at 8:00 p.m.).

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.
- 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.

Ward Boundary Change

On July 26, 2021, Council of the Corporation of the Township of Clearview passed By-law 21-77 redividing the wards of the Township. This redivision reduced the number of wards from seven (7) to five (5). As a result of this change, there will be five Ward Councillor positions to be elected in the 2022 Municipal Election creating a 7-member Council which includes the Mayor and Deputy Mayor.

Definitions

Advance Voting Period means the period in which an eligible voter may cast their vote prior to Election Day.

Ballot means either an image on a computer screen, or any web enabled device including all choices available to the electors and containing spaces in which the electors mark their votes; or a piece of paper on which the elector will indicate their choice of candidates for the 2022 Municipal Election in a secret vote.

Ballot Box means a sealed box into which completed ballots are placed.

Candidate means a person who has been officially nominated under section 33 of the Municipal Elections Act.

Certified Candidate means a Candidate whose nomination has been certified by the Clerk under section 35 of the Municipal Elections Act.

Clerk means the Clerk of the Township of Clearview who is responsible for conducting the 2022 Municipal Election under the authority of the Municipal Elections Act. The Clerk may appoint Election Officials for the purposes of these procedures and may designate their titles and duties.

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

Election Official means the Clerk or person(s) appointed in writing by the Clerk to carry out election duties under the Municipal Elections Act. An Election Official can only carry out the tasks and duties as assigned in writing by the Clerk and must take the prescribed oath under section 15.

Eligible Voter means a person qualified to vote in accordance with the Municipal Elections Act.

MPAC means the Municipal Property Assessment Corporation (MPAC).

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

Municipal Office or Administration Centre means the Township of Clearview Administration Centre located at:

217 Gideon Street
Stayner, Ontario
L0M 1S0

Municipal Website means the Township of Clearview website www.clearview.ca

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

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

Preliminary List of Electors (PLE) means a list of Eligible Voters for the Township of Clearview compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the Township.

Scrutineer means an individual, appointed in writing by a Certified Candidate, to represent them during the voting process.

Tabulator means an apparatus that optically scans a designated area on the paper ballots to read the votes and tabulate the results.

Township means the Corporation of the Township of Clearview.

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

Voter's List means the Preliminary List of Electors, as corrected by the Clerk, under the

Voting Location means the locations designated for Eligible Voters to cast their vote and includes any place in the immediate vicinity of the voting place designated by the Clerk.

Electors

Qualifications for Electors

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

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

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

Person Prohibited from Voting

The following are prohibited from voting:

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

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 property address with the municipality or school board. The place where they vote is where they reside. In a municipality with wards, if a voter resides in one ward but has other properties in different wards in the same

municipality, they may only vote in the ward where they reside. A voter may only have one permanent residence. If a voter is a non-resident and owns more than one property in the municipality, the voter may choose which property shall be their qualifying property.

Students

A student may vote in the municipality where they are temporarily residing while attending school as well as at their permanent home in a different municipality, provided that they do not intend to change their permanent home.

People without Housing

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

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

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

Qualifications of Electors for School Board Election

A person is entitled to be an elector at an election held in a local municipality, within the area of jurisdiction of the district school board, if, on voting day, he or she:

- Is a Canadian citizen;
- Is at least eighteen (18) years of age;
- Has not already voted in the election for school trustees elsewhere in the school board's area jurisdiction;
- Resides in the local municipality or is the owner or tenant of a residential property, or the spouse of such owner or tenant, and
- Is not otherwise prohibited from voting.

Ineligible Voters in School Board Election

The following cannot vote in a school board election:

- A person serving a sentence of imprisonment in a penal or correctional institution;
- A Corporation; or
- A person convicted of a corrupt practice for an election held within four years of voting day.

Electoral Status for School Boards

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

Candidates

To run for an office on Council or a School Board, a candidate must be a qualified elector on the day they file their nomination paper.

Council

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

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

Candidates must be an eligible elector in the municipality in which the Candidate is filing nomination papers for. However, in accordance with Section 29(4) of the Municipal Elections Act, a person is eligible to be nominated for an office in an election in any ward of the municipality. Candidates must maintain their eligibility throughout the campaign period and, if elected, throughout the term of council.

School Board

To run for School Board Trustee, the person must be:

- A Canadian citizen;
- At least eighteen (18) years of age;
- A resident in the area of jurisdiction of the board;
- Eligible to be an Elector for the school board in which the person is a candidate;
- Not legally prohibited from voting;
- Not disqualified by any legislation from holding office;
- Endorsement signatures **are not required** for School Board Trustee candidates.

The following offices are to be elected in the 2022 Municipal Election:

| Offices to be Elected | Number of Candidates to be Elected |
|---|--|
| Mayor | One (1) to be elected at large |
| Deputy Mayor | One (1) to be elected at large |
| Ward Councillor | Ward 1 – One (1) to be elected Ward 2 – One (1) to be elected Ward 3 – One (1) to be elected Ward 4 – One (1) to be elected Ward 5 – One (1) to be elected |
| English Public School Board Trustee | One (1) to be elected at large |
| French Language Public School Board Trustee | One (1) to be elected at large |
| English Separate School Board Trustee | One (1) to be elected at large |
| French Language Separate School Board Trustee | One (1) to be elected at large |

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

Municipal Employees Running for Office

If you are an employee of a municipality, and you wish to run for office on that municipality’s Council, you must take a leave of absence before you file your nomination form. If you are elected, you must resign from your job. You cannot work for a municipality and be on its council at the same time.

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

Nominations

Every person who proposes to be a candidate must file nomination papers prior to receiving any campaign contributions and prior to expending any funds on a campaign. The Nomination period starts on **Monday, May 2nd, 2022** and ends on **Friday, August 19th, 2022 (Nomination Day) at 2:00 p.m.** Those wishing to file nomination papers are asked to make an appointment with the Clerk's Office to register as a candidate. This will allow for proper registration time with member(s) of the Election Team and to go over the forms and answer any candidate questions.

The onus is on the person nominated to file a bona fide nomination paper. Responsibility for the accuracy of the information provided on the nomination rests with the Candidate.

Nomination forms must be signed by the candidate and filed in person or by an agent (no fax or e-mail), accompanied with at least 25 signatures from eligible electors in the Township of Clearview up to and including Thursday, August 18th, 2022 during normal business hours (Monday to Friday 8:30 a.m. to 4:30 p.m.). On **Nomination Day, Friday, August 19th, 2022**, nominations must be filed between 9:00 a.m. and 2:00 p.m. Nomination papers will not be accepted after the deadline.

Nominations may be made by completing and filing in the Clerk's Office, nominations on the prescribed form including the Declaration of Qualifications, acceptable identification (must be valid and contain the candidates' name, qualifying address and signature), the prescribed nomination filing fee (\$200 for the Office of Mayor, \$100 for all other offices), and such other documentation as required for the filing process. The nomination fee may be payable:

- in cash;
- by certified cheque or money order made payable to the municipality; or
- by an electronic method of payment that the Clerk specifies (debit/interac).

If, after having filed a nomination form, a candidate wishes to file a nomination for a different office in the same election, the first nomination shall be deemed to have been withdrawn at the time the second nomination is filed. The 25 signatures endorsing the candidate's nomination may be transferred. The filing fee is deemed to have been paid with the latest filing if the two nominations are for the same council/board unless changing offices.

Once filed, nomination papers remain in the possession of the Clerk and may be open for inspection by any member of the public and form part of the public record, which may include being posted on the Township's website for election purposes.

Form – Nomination Paper (Form 1)

Form – Endorsement of Nomination (Form 2)

Form – Unofficial List of Candidates

An unofficial list of candidates received by the Clerk will be posted on the Township's website www.clearview.ca and at the Township Administration Centre.

Acceptable Photo Identification

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

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

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

Filing by Agent

In the event that an Agent attends the Municipal Office to file a Candidate's nomination paper, the formal requirements listed in above in the **Documentation Required for Filing Nomination** section remains the same.

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

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

Photo Identification for the Candidate is required to be provided by the Agent when filing Nomination Papers for a Candidate. A photocopy of identification will be kept with the original Nomination Form.

Candidate Names

The following rules shall apply regarding candidate names:

- If the candidate wishes and the Clerk agrees, another name that the candidate also uses may be used instead of or in addition to their legal name (e.g. Bill instead of William).

- No reference to a candidate's occupation, degree, title, honour or decoration shall appear on the ballot.
- If the names of two or more candidates for an office are identical or in the Clerk's opinion so similar to cause possible confusion, each candidate's qualifying address shall appear under his or her name on the ballot.

Acclamations

If the number of candidates for the said office is the same or less than the number to be elected, the candidates will be declared as acclaimed on August 22nd, 2022 at 4:00 p.m.

Form – Declaration of Acclamations to Office

Certify or Reject Nominations

Under the Municipal Elections Act, the Clerk is required to reject or certify nominations of candidates. On or before 4:00 p.m. on August 22nd, 2022, the Clerk will examine each nomination filed and if satisfied the person is qualified to be nominated and that the nomination complies with the Municipal Elections Act, the Clerk shall certify the nomination form.

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

- The candidate has refused or declined to provide proof of qualification or identification suitable to the Clerk;
- The candidate is not qualified to hold office, or is otherwise prohibited by law from being nominated;
- The nomination form is not complete, or the prescribed filing fee has not been paid;
- The candidate's name does not appear on the Voter's List;
- The mandatory financial statement from a previous election was not filed.

There may be other circumstances in which the candidate is disqualified from being nominated or elected other than those identified above. It is the responsibility of each candidate to ensure that they are qualified to be nominated for office.

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

If rejected, the Clerk will give notice to the individual as soon as possible and to all other candidates for that office. Once the nomination is certified, the candidate's name will be placed on the ballot.

If a greater number of candidates are certified than are required to fill the said office, there will be an election. If the number of nominations for an office is less than the number of candidates to be elected, an additional Notice of Nomination will be advertised on the website only and additional nominations may be filed between 9:00 a.m. and 2:00 p.m. on the Wednesday following Nomination Day (August 24th, 2022).

Death or Ineligibility of a Candidate

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

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

Prohibition of Canvassing/Advertising at Voting Locations

The Municipal Elections Act provides that while an Elector is in a voting location (Voter Help Centre), no one shall attempt, directly or indirectly to influence how the Elector votes. No campaign material, literature or advertising of any nature whatsoever of any candidate in the Election shall be displayed at, or within the voting location or municipal facility, including parking lots.

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

Use of Municipal Resources

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

The Use of Corporate Resources Policy for the Municipal Election can be found on the Township's website www.clearview.ca.

Financial Reporting Requirements

Information regarding election finances such as financial responsibilities of candidates, campaign contributions/fundraising, campaign expenses and financial reporting is available in the Ministry of Municipal Affairs and Housing 2022 Candidates' Guide for Ontario Municipal and School Board Elections. This, and other documentation, can be found on the Ministry website at <https://www.ontario.ca/page/ministry-municipal-affairs-housing>. The link is also available on the Township's website at www.clearview.ca.

Scrutineers

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

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

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

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

Scrutineers and Candidates are **prohibited** from the following:

- Attempting, directly or indirectly, to interfere with how an elector votes, and prohibited from attempting to campaign or persuade an elector to vote for a particular candidate;
- Attempting to cause a disturbance at a voting place or within the Voting Location;
- Displaying a candidate's election campaign material of any nature whatsoever in the voting place, including the parking lot;
- Compromising the secrecy of the voting;
- Obtaining or attempting to obtain, in a Voting Location, any information about how an elector intends to vote or has voted;
- interfering, or attempting to interfere, with an Elector who is marking a ballot;
- attempting to use a cell phone or electronic recording device within the Voting Location.

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

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

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

Form – Appointment of Scrutineer by Candidate

Form – Oral Oath of Secrecy

Election Signs and Other Advertisements

Candidates' Election Campaign Advertisement

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

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

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

Election Signs

The Township of Clearview's Sign By-law 20-43 provides the regulation of municipal election signs. Candidates, Third Party Advertisers and electors should review the By-law to ensure compliance. A copy can be found on the Township's website at www.clearview.ca.

Third Party Advertisers

Individuals, corporations and unions can register as Third Party Advertisers and can also make contributions to Third Party Advertisers. Third Party Advertisers are required to register with every municipality where they wish to advertise.

Third Party Advertisers may register with the municipality from Monday, May 2nd, 2022 until Friday, October 21st, 2022 at 4:00 p.m. Third Party Advertiser registrations will not

be accepted after the deadline. Registration allows a Third Party Advertiser to promote or oppose any candidate.

No individual, corporation or trade union shall incur expenses for a third party advertisement unless the individual, corporation or trade union is certified as a registered Third Party Advertiser with the Clerk of the municipality when the expenses are incurred and advertisement appears. Third Party Advertisers are required to submit completed financial statements to the Clerk of each municipality they are registered with by March 31, 2023.

Form – Third Party Advertiser Registration (Form 7)

Third Party Registrations (Certified)

A list of certified Third Party Registrations will be posted at www.clearview.ca as soon as possible after filing. The list will be updated as new registrations are received.

Form – Third Party Registrations (Certified)

Restricted Period

The restricted period for third party advertisements in relation to an election in a municipality begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration (**May 2, 2022**) as a registered third party in relation to the election and ends at the close of voting on Voting Day (October 24, 2022).

Limit on Expenses

The expenses incurred in relation to third party advertisements cannot exceed the amount calculated under section 88.21 of the Municipal Elections Act (registered third parties' expenses) for the registered Third Party Advertiser.

Mandatory Information in Third Party Advertisements

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

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

Campaign Expenses and Contributions

Duties of Candidates and Third Party Advertisers

Candidates and Third Party Advertisers should pay careful attention to campaign finance rules.

Campaign Period

Contributions cannot be accepted outside the campaign period (beginning upon nomination or registration and ending December 31, 2022). A campaign period may be extended as set out in subsection 88.24 (4) of the Municipal Elections Act.

Maximum Campaign Expenses

With the introduction of the new 5 Ward system, the preliminary maximum amount will be based on the number of eligible electors from the Municipal Property Assessment Corporation (MPAC) as of March 3, 2022, rounded down to the nearest hundredth. Upon filing of Nomination Papers, candidates will be provided the Preliminary Certificate of Maximum Campaign Expenses.

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

Form – Estimated Campaign Spending Limits (Candidate)

Form – Estimated Campaign Spending Limited (Registered Third Party)

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

| Office | Maximum Campaign Expenses Spending Limits | Maximum Amount of Contributions to Own Campaign | Maximum Amount of Expenses for Parties, etc. |
|------------------------|---|---|--|
| Mayor | \$7,500 plus 85 cents for each elector entitled to vote for that office | \$7,500 plus 20 cents for each elector entitled to vote for that office (Max. \$25,000) | 10% of maximum amount of expenses |
| Deputy Mayor | \$5,000 plus 85 cents for each elector entitled to vote for that office | \$5,000 plus 20 cents for each elector entitled to vote for that office (Max. \$25,000) | 10% of maximum amount of expenses |
| Councillor (Wards 1-5) | \$5,000 plus 85 cents for each elector entitled to vote for that office | \$5,000 plus 20 cents for each elector entitled to vote for that office (Max. \$25,000) | 10% of maximum amount of expenses |

| Office | Maximum Campaign Expenses Spending Limits | Maximum Amount of Contributions to Own Campaign | Maximum Amount of Expenses for Parties, etc. |
|----------------------|---|---|--|
| School Board Trustee | \$5,000 plus 85 cents for each elector entitled to vote for that office | No limit | 10% of maximum amount of expenses |

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

Campaign Contributions

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

- Voluntary labour;
- Labour provided voluntarily from an employee acting under the direction of a Candidate or Third Party Advertiser without added compensation;
- \$25 or less donated or paid for goods or services at a fundraiser;
- A loan from a bank or recognized lending institution; and,
- No charge political advertising provided equally to all candidates for an office in accordance with the Broadcasting Act (Canada).

| Who May Contribute | Recipient | |
|--|-----------|------------------------|
| | Candidate | Third Party Advertiser |
| Individuals normally residing in Ontario | Yes | Yes |
| The spouse of a Candidate or an individual who is a Third Party Advertiser | Yes | Yes |
| A corporation or trade union | No | Yes |
| A Federal or Provincial political party of the Government of Canada or Ontario | No | |
| A municipal government or local board | No | |

The below information is provided for convenience only:

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

Financial Statements and Filing Requirements

By March 31, 2023, all Candidates and Third Party Advertisers are required to file a financial statement with the Clerk using the prescribed form. Electronic submissions will not be accepted.

The Clerk shall provide notice of all of the filing requirements, to every Candidate and Third Party Advertiser at least 30 days before the filing date for the financial statement and auditor's report.

Key dates in relation to Financial Statement filing are as follows:

2022 Municipal Election Campaign Period

| Date(s) | Action Item |
|-------------------|--|
| December 31, 2022 | Deadline for Candidate to provide written notice to the Clerk of deficit and continuation of campaign period |
| March 30, 2023 | Last day for Candidate to apply to the Ontario Court of Justice to extend the time to file their financial statement (maximum 90 days) |
| March 31, 2023 | Deadline for filing financial statements at 2:00 p.m. * The Clerk must be advised, in writing by 2:00 p.m., if any Candidate has applied to the Ontario Court of Justice for an extension of the filing deadline. |
| April 3, 2023 | Clerk to post financial statements on the Township website at www.clearview.ca |

| Date(s) | Action Item |
|--------------------|---|
| May 1, 2023 | Last day for Candidate who violated the deadline for filing their financial statements to file along with a \$500 fee to avoid penalties |
| May 2, 2023 | First day the Clerk shall publish a report of which Candidates complied with filing deadlines |
| June 30, 2023 | Last day of supplementary reporting period |
| September 28, 2023 | Last day for Candidate to apply to the Ontario Court of Justice to extend the time to file their supplementary financial statement (maximum 90 days) |
| September 29, 2023 | Deadline for filing supplementary financial statements for supplemental reporting period ending June 30, 2023 * The Clerk must be advised, in writing by 2:00 p.m., if any Candidate has applied to the Ontario Court of Justice for an extension of the filing deadline |
| October 2, 2023 | Clerk to post supplemental financial statements |
| October 30, 2023 | Last day for Clerk to review supplementary financial statements and report on any that exceeded the limits. |

The financial statements shall be posted on the Township website at www.clearview.ca

Form – Notice to Candidate of Filing Requirements

Form – Notice to Registered Third Party of Filing Requirements

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

Form – Financial Statement – Subsequent Expenses (Form 5)

Form – Notice of Extension of Campaign Period (Form 6)

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

Form – Notice of Default - Candidate

Form – Notice of Default – Third Party Advertiser

A Notice of Default will be given to any Candidate or Third Party Advertiser if the Financial Statement is not submitted by the deadline. There are penalty provisions in the Municipal Elections Act that are applicable to Candidates who fail to meet the disclosure and reporting requirements.

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

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

In accordance with the Municipal Elections Act, the Clerk shall, at least 30 days (March 1, 2023) before the filing date, notify all candidates of the penalties under subsection 88.23 (2) and 92(1) related to election campaign finances.

[Form – Notice to Candidates of Penalties under Subsection 88.23\(2\) and 92\(1\)](#)

Voter's List

The Municipal Property Assessment Corporation (MPAC) will provide the Township of Clearview by August 2, 2022, a Preliminary List of Electors (PLE). The Clerk then corrects and amends the PLE using information held by the municipality and produces the Voter's List by September 1, 2022.

Electors can check to see if they are on the Voter's List by using www.voterlookup.ca until July 21, 2022.

Revisions to the Voter's List

Electors may make application to be added to or amend their information on the Voter's List up to and including Voting Day.

Electors may also make application to amend the Voter's List by attending the Municipal Office after September 1, 2022 during regular business hours (Monday to Friday from 8:30 a.m. to 4:30 p.m.). On Voting Day, (October 24, 2022) electors may make application to amend the Voter's List up to 8:00 p.m. The Clerk will require proof of identification. For individuals who cannot provide the required identification, a Declaration of Identity (Form 9) may be completed.

Authorized election officials will be managing and updating the Voter's List utilizing Municipal VoterView software provided by DataFix on an ongoing basis.

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

[Form – Voter Identification](#)

[Form – Declaration of Identity \(Form 9\)](#)

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

- The secretary of a local Board any of whose members are to be elected in this election;
- The Clerk of the local municipality responsible for conducting the elections in any combined area for school board purposes;
- The Clerk for the County of Simcoe;
- The Minister;
- Candidates (Ward Councillor candidates only those portions pertaining to their area) through the VoterView Candidate Module only;
- MPs or MPPs who represent any part of the Township of Clearview.

Candidates Module

Candidates will be provided access to the online Candidate Module through VoterView where the Voter’s List information will be available to search, view or download. The Voter’s List may only be used for election purposes. Access will not be granted until the Candidate’s Declaration – Proper Use of the Voter’s List is executed and filed with the Clerk.

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

[Form – Candidate’s Declaration – Proper Use of Voters’ List](#)

Voting

An Internet Voting method and Traditional Ballots with Tabulators will be used for the 2022 Municipal Election. Electors will have the choice to use one of the two methods to cast their ballot. Internet voting allows an elector to cast an electronic ballot from their personal computer, tablet or smartphone from anywhere there is an internet connection. The use of traditional ballots at advance voting locations only will allow electors to cast their ballot in-person, at an accessible location. Below are the voting details:

| Voting Method | Date/Time | Location |
|------------------------|---|--|
| Internet Voting | October 3 rd – 24 th , 2022 Time: Starting at 10 am on October 3 rd until 8 pm on October 24 th | Internet voting system is open for a three week period leading up to Election Day |
| Internet Voting | October 24 th , 2022 - Election Day Time: 10 am – 8 pm | Internet Voting Help Centres: Clearview Library – New Lowell Branch 5237 County Road 9, New Lowell ON |

| Voting Method | Date/Time | Location |
|----------------------------|--|--|
| | | Clearview Library – Creemore Branch 165 Library Street, Creemore ON Administration Centre – Council Chamber 217 Gideon Street, Stayner ON |
| Traditional Ballots | Advance Vote Saturday, October 8 th , 2022 Time: 10 am – 3 pm | Administration Centre – Council Chamber 217 Gideon Street Stayner, ON |
| Traditional Ballots | Advance Vote Wednesday, October 12 th , 2022 Time: 4:30 pm – 7 pm | Administration Centre – Council Chamber 217 Gideon Street Stayner, ON |
| Traditional Ballots | Advance Vote Saturday, October 15 th , 2022 Time: 10 am – 3 pm | Clearview Community Church 20 Batteaux Road Nottawa, ON |
| Traditional Ballots | Advance Vote Sunday, October 16 th , 2022 Time: 10 am – 3 pm | Creemore Arena & Community Centre 220 Collingwood Street Creemore, ON |

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. If a voter resides in one ward, but has other properties in different wards, they may only vote in the ward where they reside. A voter may only have one permanent residence.

Proxy Voting

With the alternative voting methods being provided during the 2022 Municipal Election (Internet Voting), proxy voting is not permitted.

Internet Voting Process

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

During the voting period, the Clerk’s Office at the Administration Centre will be designated as the primary Voter Help Centre and will host access to the internet through voting kiosk station(s) using an iPad or tablet device.

Below is an overview of the Internet voting process:

- Eligible electors, as identified on the Voters' List, will receive through the mail, a sealed and personalized Voter's Information Letter (VIL). This letter will direct electors to a designated website for voting.
- At the designated website, electors will enter their Voter ID and PIN, as well as the year of birth for an additional validation criterion. Electors will be entered into the online voting system.
- There will be a declaration page that the elector will be required to read and accept before moving onto the voting step. This declaration identifies Notice of Offence under the Municipal Elections Act, and Notice of Corrupt Practice.
- Based on the eligible options for the elector (ward, school board) the voting system will offer the options for the various election races for the elector to cast their vote(s). The voting system will permit the elector to abstain/skip from voting for an office(s) if they wish to do so and also to spoil a ballot if they wish to do so.
- Following the elector's selection, the voting system will identify the voter's choice(s) on a Review screen and provide the voter with the option of changing or confirming their vote.
- Once all races are confirmed by the elector, the elector submits (casts) their vote and the voting process is complete. The elector will be struck off the Voters' List and identified as having participated in the election process.
- Once the voter PIN has been used to complete all races associated with the election, it cannot be used again and further access shall not be granted to the internet voting system.

System Integrity

The integrity of the voting process shall be preserved by:

- Ensuring that every eligible elector on the Voters' List, as amended, receives a Voter Information Letter (VIL) containing the voter's ID and unique PIN;
- Ensuring that no one except the Clerk, or designate(s), can access PINs that match each voter's name and address;
- Providing an opportunity for eligible electors to be added to the Voter's List or to make amendments to the list, up to and including Election Day (October 24th, 2022 at 8:00 p.m.); and,
- Appointing an Auditor to conduct audits of the system throughout the voting period.

Traditional Ballots with Tabulators Voting Process

For the voting method using traditional ballots with tabulators, The Township of Clearview will use a composite ballot. 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, and the ward in which the elector resides.

An Elector 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 Elector will be advised to go behind a privacy screen to mark their ballot using the special provided pen. Once marked, they will put their ballot into the 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 ballot box casting the elector's vote for the Election.

Voter Information Letters (VIL)

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

The VIL may include, but not limited to, the following information:

- The elector's full name;
- A unique Elector Notification number (Voter ID) and PIN for internet voting;
- Internet voting web address and voting times;
- Ward and school support;
- Instruction on how to vote;
- Advance Vote dates to vote using traditional ballots;
- The location and telephone number of the Voter Help Centre(s);
- Voter eligibility criteria;
- Information on illegal and corrupt practices under the Act.

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

Should an eligible voter receive more than one VIL, the eligible voter may only vote once and must return the other VIL to the Municipal Office. **Electors who knowingly**

vote twice are committing an offence under the Municipal Elections Act and are subject to an investigation and prosecution by the police and legal system. VILs returned to the Municipal Office shall have the PIN disabled. The VIL will be maintained in a secure fashion and destroyed in the same manner as all other municipal election material.

Replacement PINS

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

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

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

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

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

Upon providing proof of identity and residence a new Voter Information Letter containing a new PIN may be issued provided the required statutory declaration has been executed.

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

Form – Voter Identification

Form – Application to Amend Voters' List (EL15)

Assistance for Electors

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

In lieu of an Election Official providing assistance, the elector may request that a friend assist the elector at the voting location or help centre. The friend assisting the elector

shall be required to take the Oral Oath to vote with assistance. No person shall be allowed to act as a friend of more than one voter at the voting location or help centre.

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

Form – Oral Oath

Election Administration

Clerk's Authority

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

- Revising the Voter's List;
- Receiving Nomination Papers;
- Administering Oaths;
- Assisting 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;
- Assisting the Clerk and other Election Officials as required.

The Clerk may provide for any matter or procedure that is not otherwise provided for in an Act or regulation and, in the Clerk's opinion, is necessary or desirable for conducting the election.

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

Secrecy

All Election Officials shall take an oath of secrecy and be appointed by the Clerk as per the Appointment and Oath of Election Official. Complaints regarding any and /or all breaches of secrecy shall be documented by the Election Official as well as questions and answers of the complainant and, if deemed appropriate, the Clerk shall submit same to the Police for further investigation and prosecution.

Form – Appointment and Oath of Election Official

Language

Procedures and forms will be provided in English only.

Clerk's Responsibility to Review Financial Statements

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

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

Clerk's Report on Financial Statements

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

Disposition of Records

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

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

[Form – Declaration of Destruction of Records](#)

Accessibility

The Township of Clearview is committed to ensuring that all qualified electors have the opportunity to vote. The hybrid approach using Internet Voting and Traditional Ballots provides the most accessible access to the electoral process. Internet Voting eliminates the need for electors to attend a polling station and provides for an extended period of time to participate in the election process. The use of Traditional Ballots during the advance votes will be done at locations that are fully accessible to electors if they choose this method over Internet Voting.

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

Election Day

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

Results of the Election

The Clerk, at 8:00 p.m. on October 24th, 2022 shall arrange for the close and deactivation of the Internet Voting system. The Clerk shall then produce the results report and the Auditor shall produce the Auditor's results report to balance with the Clerk's report. The Clerk and the Auditor shall sign the report indicating the unofficial results and votes cast.

For the traditional ballots, at the end of each advance vote date, the poll will be closed on the tabulator and a results tape will be transmitted from the tabulator. The results tape will be signed by any Election Officials and Scrutineers present in the voting location at the close of the polls and sealed in an envelope to be stored safely for the results to be tallied on Election night at the close of voting (8:00 p.m.). These result tapes will be verified with the Clerk and Auditor through comparison with the tabulator memory cards, which also store the results of each poll.

As soon as possible after Voting Day, the Clerk shall declare the candidates elected as a result of the election and certify the results of the election. The official results will be posted on the Township website www.clearview.ca and at the Township Administration Centre as soon as possible on October 25th, 2022.

Form – Certificate of Election Results

Recount

The Municipal Elections Act requires a recount to be conducted within 15 days:

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

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

Emergencies

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

In the event of a postal strike, the Clerk shall determine how the Voter Information Letters will be distributed.

When declaring an emergency, the Clerk shall make such arrangements as they consider advisable for the conduct of the election. If the arrangements are consistent with the principles of the Act, they prevail over anything in the Act and the Regulations made under it. The emergency continues until the Clerk declares that it has ended.

Forms

- Appointment and Oath of an Election Official
- Application to Amend Voters List (EL15)
- Voter Identification
- Declaration of Identity
- Notice of Nomination for Office
- Nomination Paper – Form 1
- Endorsement of Nomination – Form 2
- Withdrawal of Nomination
- Unofficial List of Candidates
- List of Certified Candidates
- Notice of Registration - Third Party – Form 7
- Declaration of Acclamation to Office
- Estimated Campaign Spending Limits
- Certificate of Maximum Campaign Spending Limits
- Appointment of Scrutineer by Candidate
- Oral Oath of Secrecy
- Candidate's Declaration – Proper Use of Voters List
- Notice to Candidates of Penalties Under Subsections 88.23 (2) and 92 (1)
- Financial Statement – Auditor's Report - Form 4
- Notice to Candidates of Filing Requirements
- Notice of Default
- Activation of the Voting System
- Certificate of Election Results
- Declaration of Destruction of Records