



Municipality of Chatham-Kent

Municipal Election Procedures

Reviewed and Updated May 22, 2026

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Definitions

Definitions

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

Advance Vote - is the location, dates and hours for casting a ballot prior to Voting Day, as established by the Clerk under the authority of Section 43 of the Act.

Auditor - is the person appointed by the Clerk who performs the prescribed combination of processes and procedures (audit duties) designed to validate a range of activities and/or functions.

Auxiliary Compartment - means the front compartment of the ballot box in the tabulator and where electors' ballots are temporarily stored in the event of vote count tabulator fails to operate.

Ballot - is either an image on a computer screen or an actual ballot card for an election, which includes all choices available to the electors and contains spaces where they can mark their votes.

Ballot Box - is a box containing a compartment for receiving voted ballots after tabulation by the Vote Tabulators. It also contains a compartment for ballots that need processing in the event of failure of the Vote Tabulator. The box serves as the platform for the Vote Tabulator.

Cancelled Ballot - means a ballot that has been issued to an Elector, and

- a) Its marks cannot be properly read by a Vote Tabulator for which an Elector requests a subsequent ballot to properly record their vote; or
- b) When inadvertently, an Elector spoils a ballot, they request a subsequent ballot from the Deputy Returning Officer to record their vote

Candidate - is a person for who has a nomination under Section 33 of the Act.

Certified Candidate - is a candidate who possesses certification by the Clerk under Section 35 of the Act.

Clerk - is 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 (R.O.) for the 2026 Municipal Election. All references to Clerk's designate shall mean the delegated duties of the R.O.

Clerk's Office – location of the clerk as well as Election team – Chatham-Kent Civic Centre, 315 King St. W. Chatham, Ontario. Open Monday to Friday 8:30am-4:30pm

Compliance Audit Committee - is a group of local professionals who receive and determine the merit of complaints, if any, relating to campaign expenses as reported on a candidate's

filed Financial Statement – Auditor’s Report (Form 4).

Count - is the process of totaling votes.

Deputy Returning Office (DRO) - is a person appointed by the Clerk for each voting place who will be delegated specific duties and powers by the Clerk.

Election - is the general election to fill the offices of Mayor and Ward Councillors for the Municipality, District School Trustees and any ballot questions held under the authority of the Act taking place in the Municipality of Chatham-Kent.

Election Headquarters - is the Clerk’s Office located at Chatham-Kent Civic Centre, 315 King Street W. Chatham, Ontario.

Election Official - means a person who has been delegated or assigned duties and/or responsibilities in the conduct of the municipal election. An Election Official may include; a Tabulator Deputy Returning Officer, a Mobile Deputy Returning Officer, a Deputy Returning Officer, a Revision Clerk, a Site Manager, a Greeter, or other such person or persons appointed under the authority of Section 15 (1) of the Act.

Eligible Elector - in the Act, it is defined as a person who meets the voting qualifications and appears on the Voters’ List or is added to it.

Institution - is a premise that on September 1, occupies 20 or more beds by persons who are disabled, chronically ill or infirm; or a retirement home where 50 or more beds are occupied. Section 45(7).

Internet Voting System – is the technology and software that records, processes, stores, and counts Ballots cast.

Mobile Deputy Returning Officer (MDRO) – is a person appointed by the Clerk for established voting institutions (primarily retirement and nursing homes), who will be delegated specific duties and powers by the Clerk.

Personal Identification Number (PIN) – - means a unique multiple digit number assigned by the Voatz System to each voter to provide security for access to the Internet Voting System.

Preliminary List of Electors (PLE) - is a list of electors for the municipality compiled by Elections Ontario and provided to the municipality.

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

Recount - is an additional count of ballots following Voting Day held in accordance with Sections 56 to 64, inclusive, of the Act.

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

Revision Clerk (RC) - is an Election Official appointed by the Clerk to receive applications to amend the Voters' List at a Voting Station under the authority of Section 15(1) of the Act.

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

Site Manager - is an Election Official appointed by the Clerk or designate to assist in the management of the voting location in relation to the conduct of the municipal election.

Spoiled Ballot - is a ballot with an incorrect mark or one that has been damaged in such a way that it cannot be read by the Vote Tabulator.

Tabulation - has the same meaning as "**Count**".

Tabulator Deputy Returning Officer (TDRO) - is the person appointed by the Clerk to be responsible for the operation of the Vote Tabulator including receiving and processing ballots under the authority of Section 15(1) of the Act.

Time/Clock - is the time as indicated on the clock located in the Clerk's Office.

Unique Elector Id – this is the ID number found on a voter's individual VIL card and what is required to be able to access and use the internet Voting System to vote.

Vote Tabulator - is an apparatus that optically scans a designated area on the ballots to read the votes and tabulate the number of vote cast for each Candidate or ballot question. The terms Vote Counting Unit, Vote Tabulator Units, Ballot Reader and Vote Recorder are synonymous with the term Vote Tabulator. The Clerk shall designate the number of Tabulators in each Voting Location.

Vote Tabulator Memory Card - is a removable memory device that the vote tabulator uses to store the scanner's election definition, audit log, and other election-specific information, including:

- a) the names of all Candidates for each office to be contested in the election or the particular Ward
- b) the alternative of "yes" and "no" for each question; and
- c) recorded and retained information on the number of acceptable marks made for each Candidate

Voter Identification Number Card (VIN) - provides information for electors, including voting locations and registration number (elector ID). Receipt of a VIN is verification that an elector is on the voters' list. Voters are to bring this card with them on polling day to vote. Each voter on the Voters' List shall receive a voter registration card individually or Election Officials shall provide a voter registration card to anyone who has applied for inclusion on the Voters' List.

Voters' List - is the list of Electors produced by Elections Ontario) for each municipality and school board in the province.

Voting Day - (not to be confused with Voting Period) is the final day of voting in an election, which will be Monday, October 26, 2026, with the polls closing at 8:00 pm. (determined by Section 5 of the Act)

Voting Location - means the physical location (or “municipally” known address) established for the conduct of the voting.

Voting Period - is the period in which an eligible voter may cast their vote, via either internet or regular ballot.

Voting Place - is the physical locations for the electors to cast ballots, as established by the Clerk.

Voting Station - is the area within the Voting Location designated by the Returning Officer where Eligible Electors cast ballots.

Voting Subdivision - is an administrative division representing a contiguous geographic area situated within a Ward and in which Eligible Electors cast ballots at the same Voting Station.

Ward - is a contiguous geographic area representing by a public official(s) (“Councillor(s)”).

Zeros Tape - is the printed record generated from a Vote Tabulator before the acceptance of any ballot at the opening of the Voting Location. It is also the printed record generated from a counting centre before the tabulation of used ballots or at the beginning of any recount procedure, and which indicates as “zero” the number of votes for each Candidate and, if applicable the number of votes for and against each by-law or ballot question.

Authority

Authority - Duties of Clerk

Section 11 (1)

The Clerk of a local municipality is responsible for conducting elections within that municipality, subject to the following exceptions.

1. The Clerks specified in the regulations made under the *Education Act* are responsible for certain aspects of the elections of members of school boards, as set out in those regulations
2. The Clerks specified in Section 11.1 are responsible for certain aspects of the election of members of the council of an upper-tier municipality, as provided for in that section

3. The Clerks specified in subsection (5) are responsible for certain aspects of the election with respect to a question an upper-tier municipality submits to its electors under clause 8 (1) (b) or (c)

Section 11 (2)

Responsibility for conducting an election includes 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 report described in subsection 12.1 (2)

Powers of Clerk

Section 12 (1)

A Clerk who is responsible for conducting an election 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(4) states that the procedures and forms established by the Clerk, if they are consistent with the principles of this Act, prevail over anything in this Act and the regulations made under it.

The Clerk will incorporate any relevant changes in the Municipal Election Act, 1996, as amended, into the procedures.

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

Timelines

Timelines

Please refer to the AMCTO 2025- 2027 Elections Calendar.

Nominations

2026 Nomination Procedure

Nomination Papers (Section 33)

The Clerk shall give public notice for nominations prior to May 1, 2026 on the municipal website and local media.

Nomination Paper – Form 1 for the following offices will be available at the Clerk’s Office from the first business day of May 1, 2026 to Thursday, August 20, 2026 during regular office hours, and between 9:00 a.m. and 2:00 p.m. on Friday, August 21, 2026 Nomination Day and on the municipal website for the following offices:

Mayor – 1 position

Councillor, Ward 1 – 2 positions

Councillor, Ward 2 – 2 positions

Councillor, Ward 3 – 1 position

Councillor, Ward 4 – 1 position

Councillor, Ward 5 – 2 positions

Councillor, Ward 6 – 2 positions

Councillor, Ward 7 – 2 positions

Councillor, Ward 8 – 2 positions

Trustee, Lambton Kent District School Board - English Public

Wards 1, 2 & 3 – 2 positions

Wards 4, 5 & South Lambton - 1 position

Ward 6, 7, & 8 – 2 positions

Trustee, St. Clair Catholic School Board – English Separate

Wards 1 & 2 – 1 position

Ward 3/St. Clair/Dawn Euphemia Township – 1 position

Wards 4 & 5 – 1 position

Ward 6, 7, & 8 – 1 position

Trustee, Conseil Scolaire Catholique Providence – French Separate

Ward 1, Pelee, Leamington, Lakeshore – 1 position

Wards 2,3,4,5,6, 7, & 8 – 1 position

Trustee, Conseil Scolaire Viamonde – French Public

Haldimand County, Norfolk County, County of Oxford, County of Elgin, County of Lambton & Municipality of Chatham-Kent – 1 position

Nominations 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
- During regular office hours (by appointment) at the Clerk’s Office from first business day in May 2026 to Thursday, August 20, 2026, during regular office hours, and between 9:00 a.m. and 2:00 p.m. on Friday, August 21, 2026 (Nomination Day)
- With 25 endorsement signatures from eligible electors.
- 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 for the Municipality of Chatham-Kent shall be paid by cash, debit card, credit card, certified cheque or money order payable to the municipality
- With proof of identity and residence as prescribed in *O. Reg. 304/13*
- No faxed or other electronically transmitted nomination paper will be accepted original signatures are required

The Clerk will administer the Declaration of Qualification on the “Nomination Paper, Form 1” and the “Declaration of Qualifications - Council”, Form EL18A, or the “Declaration of Qualifications – School Trustee”, Form EL18B, oaths to the candidate. It is necessary for the Clerk to fill in the date and time of filing and for the candidate or his or her agent to initial it. The Clerk will then sign the Nomination Paper and Declaration of Qualifications.

Estimated Maximum Campaign Expenses (Section 88)

The Clerk shall calculate the estimated maximum campaign expenses for each office on the “Interim Certificate of Maximum Campaign Expenses”, Form EL37, and provide a copy to the candidate or their agent the day that the Nomination Paper is filed in accordance with Section 33.0.1 (1). The Clerk’s calculation is final on this and on the “Final Certificate of Maximum Campaign Expenses”, to be issued within ten days of Nomination Day.

Unofficial List of Candidates

The Clerk shall provide notice of the unofficial list of candidates by preparing and posting in the Municipal Office and on the website a “Registered List of Candidates”. Updating of the list will take place as each nomination paper is received.

Nomination Day – August 21, 2026 (Section 31)

The Municipal Office will receive Nomination Papers between 9:00 a.m. and 2:00 p.m. on Nomination Day.

Procedure for the handling of Nomination Papers on Nomination Day will be the same as above.

Certification of Nomination Papers (Section 35)

On or before Monday, August 24, 2026 at 4:00 p.m., the Clerk will do a review of each nomination received to determine qualification and if the nomination complies with the *Municipal Elections Act, 1996*. Once satisfied the candidate is qualified, complete the "Certification by Clerk" section on "Nomination Paper", Form 1.

Rejection of Nomination Paper (Section 35(3), (4))

The Clerk will reject a nomination if the Candidate does not qualify for nomination or if the nomination does not comply with the *Municipal Elections Act, 1996*. The candidate will be notified of the rejection by phone, and a letter will be sent, by Registered Mail, as soon as possible to the person who sought to be nominated, as well as to all candidates for the office.

Withdrawal of Nomination Papers (Section 36)

Candidates may withdraw their nomination by filing in person a withdrawal in writing on "Withdrawal of Nomination", Form EL19, with the Clerk. This must be done before 2:00 p.m. on Nomination Day, Friday, August 21, 2026, if the person was nominated on or before Nomination Day; and before 2:00 p.m. on the Wednesday following Nomination Day, (August 26, 2026), if the person was nominated under Section 33(5) - Additional Nominations.

The withdrawal will be noted on the List of Registered Candidates.

Official List of Candidates

On August 27, 2026, the complete list of certified candidates will be available at the Municipal Office and on the Municipal website using the "List of Certified Candidates", Form EL07.

Declaration of Election (Section 40)

In the event that after 4:00 p.m. on Monday, August 24, 2026, there are more certified nominations than there are candidates to fill the office, the Clerk shall call for an election.

The Clerk shall give the electors notice of

- a) The location of the voting places
- b) The dates and times on which the voting places will be open for voting.
- c) The manner in which electors may use voting proxies
- d) Under clause 42(1) (b), (alternative voting methods), the manner in which electors may use the Internet voting method

Acclamations (Section 37(1))

The Clerk shall immediately declare the candidate(s) elected by acclamation if, as of 4:00 p.m. Monday August 24, 2026, the number of certified candidates is equal to or less than the number of offices up for election. In this situation there shall be no election conducted for this

position(s) and the Clerk shall post a “Declaration of Acclamation to Office”, Form EL20.

Fewer Number of Nomination Papers than Offices (Section 33(5))

In the event that at 4:00 p.m. on Monday, August 24, 2026, the number of certified nominations filed for an office is less than the number of candidates to fill the office, additional nominations filing may be made between 9:00 a.m. and 2:00 p.m. on Wednesday, August 26, 2026. The Clerk shall post a Notice of Additional Nominations, Form EL17 (B), advising that additional Nomination Papers may be filed for that office during the specified time. If at 2:00 p.m. on Wednesday, August 26, 2026, additional nomination papers have been filed, the procedure to certify or reject nomination papers shall be followed.

Additional Nominations - More than number of Offices Remaining (Section 33(5))

If between 9:00 a.m. and 2:00 p.m. on Wednesday, August 26, 2026, there are more than a sufficient number of certified Nominations to fill the office(s), an election shall be conducted with the names of the persons who have filed certified Nomination Papers.

Withdrawal of Additional Nominations (Section 36)

Withdrawal of additional nominations must take place prior to 2:00 p.m. on Wednesday, August 26, 2026. Follow the procedure in the Withdrawal of Nomination Paper section above.

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

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

Sufficient Number of Nomination Papers Filed to Form a Quorum – Municipal Council (Section 37(4)2)

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

Death or Ineligibility of a Candidate (Section 39)

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

- The result would be an acclamation for an office, the election to such office is void and a by-election for such office shall be held (Section 65(4) provides that the sixty-day (60) period starts as of the date of death)
- The result would be one less candidate only and no acclamation; the candidate's name shall be omitted from the ballot. If the ballots are already printed, the Clerk shall post the notice of the death in a conspicuous place at every polling place, and the election shall proceed as if the deceased or ineligible candidate had not been nominated

Candidates who have passed away or become ineligible for election will not be counted.

Final Calculation of Campaign Expenses (Section 88.20)

The Clerk, after determining from the number of eligible electors from the Voters' List for each office, calculate the maximum amount of campaign expenses that each candidate may incur for that office and prepare a "Certificate of Maximum Campaign Expenses", Form EL37. Within ten days after Nomination Day each candidate will receive a certificate. Calculations made by the Clerk are final and shall be made in accordance with the prescribed formula in *Ontario Regulation 101/97*.

Candidate Name Pronunciation

All certified candidates are to provide the Clerk the proper pronunciation of their name prior to September 1, 2026.

Voters' List

Voter Qualifications (Section 17(2))

A person is entitled to be an elector at an election held in a local municipality if, on Voting Day, October 26, 2026, he/she:

- (i) Is a Canadian citizen
- (ii) Is at least 18 years old
- (iii) Resides in the local municipality, or is the owner or tenant of land in the local municipality, or the spouse, or same-sex partner of such a person; and
- (iv) Is not prohibited from voting under subsection 17(3) of the *Municipal Elections Act, 1996* or otherwise, by law

Certification of Voters' List

The Preliminary List of Electors (PLE) supplied by the Municipal Property Assessment Corporation shall be delivered to the Clerk between July 31, 2026 -Sept 1, 2026 if no date is agreed upon with MPAC or prescribed by the Minister (Section 19(1.1)).

The PLE shall contain the name and address of each person who is entitled to be an elector and additional information the Clerk needs to determine for which offices each elector is entitled to vote, such as school support. The name of each resident elector shall be entered on the PLE for the voting subdivision in which he or she resides, and the name of each non-resident elector shall be entered on the PLE for the voting subdivision in which the elector or his or her spouse is an owner or tenant of land. The Clerk shall, to the best of their ability and legislative authority, ensure that an elector's name appears on the PLE for a local municipality only once.

Where a voter qualifies at more than one location in the municipality, the voter may vote only once for each office and the qualifying address to determine eligibility for voting shall be the elector's place of residence.

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

The Clerk shall correct any obvious errors in the PLE to MPAC. This notification can occur when the "Final List of Changes" to the Voters' List is sent to MPAC after the election (see the Final List of Changes section below). However, those changes affecting a ward and voting place designation, missing streets, buildings or subdivisions, should be forwarded to MPAC in time for inclusion in the September exceptions files that MPAC provides. Notification to MPAC should be sent in an email to the municipality's Municipal Relations Representative.

The corrected PLE becomes the Voters' List.

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

Municipal VoterView List Management

Election staff will use a program called Municipal VoterView to update and amend the Preliminary List of Electors. The Municipal VoterView application allows staff to add, change, delete or move voters as required in accordance with provisions of the Municipal Elections Act. In addition, the application provides a number of elector related reports to support election planning and can identify potential inaccuracies on the list.

Requests for Copies of Voters' List

Upon written request, the Clerk shall give every candidate the part of the Voters' List that contains the names of the electors who are entitled to vote for that office a copy of the Voter's List. For example, if a candidate is running in Ward 2, they only receive the part of the Voters' List pertaining to Ward 2, not the entire Voters' List. Each candidate will be required to sign the "Candidate/Registrant Declaration of Proper Use of the Voters' List", Form EL14, and show acceptable proof of identification.

Policy for Use of Voters' List

It is only for the purpose of the election that a Voters' List has been compiled. All electors should ensure that their names and relevant information are correct on the Voters' List.

Eligible persons who request a copy of the Voters' List must sign the "Candidate/ Registrant

Declaration of Proper Use of the Voters' List", Form EL14, prior to receiving a copy of all or any part of the Voters' List.

When the Voters' List can be provided electronically to an eligible person who has signed a declaration provided by the Clerk stating that the list shall only be used for election purposes, the Clerk may choose to provide it in this format.

Eligible persons who obtain additional copies of the Voters' List or any part thereof shall pay the Clerk a fee prescribed by the Clerk for photocopies, which must be the lowest fee charged by the municipality for copies. (Section 88(8))

Copies – Local Boards, Municipalities, Minister

On written request, the Clerk shall provide a copy of the Voters' List (Section 23(3)) to:

- The secretary of a Local Board, any of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a question to the electors
- The Clerk of the local municipality responsible for conducting the elections in any combined area for school board purposes
- The Clerk of an upper-tier municipality, any of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a by-law or question to the electors
- The Minister, if he or she has submitted a question to the electors; and,
- An individual, corporation or trade union that has registered under Section 39.1

Copies – Candidates

At the written request of a candidate for an office, the Clerk shall provide him or her with the part of the Voters' List that contains the names of the electors who are entitled to vote for that office.

Use of online, electronic and paper versions of the Voters' List, Interim and Final List of Changes to the List and all other information containing personal voter information shall be protected by the Candidate and shall not be used for any purpose other than the 2026 Municipal Election. The Candidate shall destroy all Voter information obtained by the Candidate during the 2026 Municipal Election after the election, either by returning same to the Clerk for destruction with other election material or by deleting it completely from Candidate computer hardware. If the Candidates with others (campaign workers) share records, the Candidate administers an oath similar to the one taken by the Candidate; all shared records shall be protected and destroyed within 60 days of the Election.

Copies – MPs and MPPs

On the written request of a member of the House of Commons or of the Legislative Assembly who represents any part of the Clerk's municipality, the Clerk shall provide him/her with a copy of the Voters' List.

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

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

Amendments to the Voters' List

The Voters' List may be amended using the prescribed form "Application to Amend Voters' List", Form EL15, and providing proof of identity and residence as prescribed in *O. Reg. 304/13*, between September 1st until October 26th.

Other names can be removed from the Voters' List by using the form "Application for Removal of Another's Name from the Voters List", Form EL16, and providing proof of identity and residence as prescribed in *O. Reg. 304/13*, between August 1st and October 26th. (Section 25(1)).

On Nomination Day, August 21, 2026, determine the total number of electors on the Voters' List. This number will be necessary to calculate the "Certificate of Maximum Campaign Expenses", Form EL37, for the 2026 Municipal Election.

Interim List of Changes (Section 27(1))

The Clerk, within ten days after Nomination Day, August 29, 2026, prepare an "Interim List of Changes" to the Voters' List. The Interim List of Changes shall be given to each person who received a copy of the Voters' List and to each certified candidate. For producing the Voter Identification Number Card by the supplier, the Interim List of Changes shall be prepared following Nomination Day and before September 30, 2026 (date provided by election supplier).

Certification of the Voters' List (Section 28(1))

The Clerk shall compile any changes to the Voters' List on the "Certificate of the Voters' List", Form EL22, and certify the Voters' List for use in each voting place.

Final List of Changes (Section 27(2))

The Clerk shall prepare the Final List of Changes to the Voters' List by November 25, 2026. A certified copy of the Final List of Changes shall be sent to the MPAC together with a copy of the approved applications, Forms EL15 and EL16.

For those who use a supplier to manage their Voters' List (i.e., DataFix), the Final List of Changes shall be provided to MPAC by November 25, 2026 by the supplier upon the Clerk's authorization.

Campaigning and Campaign Material

Campaigning and Campaign Material

Candidates may not campaign before filing their Nomination papers. It is permissible to print and distribute campaign materials following the filing of nomination papers.

Each candidate is responsible for the information contained in/on all campaign materials, and any questions or concerns from the public should be directed towards the Candidate.

Municipal Employee Communication with Candidates

The Clerk or designate will communicate with candidates by email, phone, or written correspondence as per their provided contact information and advise them of any new posted information on the Municipality's Election website.

All candidates, registrants and supporters will receive fair and consistent treatment from Municipality staff to ensure the integrity of the electoral process and a fair and unbiased election. Incumbents are aware of a restriction on the use of Municipality resources for campaign purposes.

Campaigning and Campaign Material – Municipally owned/leased Facilities

Election campaigning or the distribution/posting of election campaign material at municipally owned or leased facilities is not permitted.

On Election Day (including the Advance Polls), campaign materials are also not permitted at voting locations.

Election Signs

In Chatham-Kent, campaign signs are allowed to be displayed on municipal property 60 days before an election. Within five days after Election Day, they must be removed. It is the Candidate's responsibility to familiarize him/herself with the Municipal and Provincial regulations. The Municipality's Election website has information regarding the posting of campaign material on road allowances in accordance with Municipality and Provincial policies.

If any act of vandalism is perpetrated on posters or campaign materials of candidates, the complainant for investigation or prosecution should contact the local police force. The municipality or any of its municipal employees or agents will not be responsible.

If election signs are not in accordance with the Municipal Sign By-law (73-2009), the sign will be

removed by the Public Works team and held at the Public Works garage. If the signs are not picked up by five days following Election Day, they will be disposed of.

Proxy Voting

Proxy Voting (Section 44)

Any person whose name is on the Voters' List or who has been added by revision may vote by proxy. There are no limitations on who may vote by proxy provided they are entitled to be an eligible elector. A person wishing to appoint a proxy voter must do so on the prescribed form "Appointment of Voting Proxy" EL50.

The appointment may only be made after the closing of nominations (Friday, August 21, 2026, after 2:00 pm) or if additional nominations were required, Wednesday, August 26, 2026, after 2:00 pm. The person appointed must be entitled to be an eligible elector.

The person shall not:

- a) Appoint more than one voting proxy
- b) Act as a voting proxy for more than one other person. This restriction does not apply if the proxy and the other person are spouses, siblings of each other, parent and child, or grandparent and grandchild

A person appointed as a proxy may only: (Only a or b shall apply)

- a) Act for one non-related person, or
- b) Act for any number of relatives, (including spouses, parents, siblings, children, grandparents and grandchildren)

The person appointed as a voting proxy shall complete an application on the prescribed form (Section 44(5) (a)) including a statutory declaration and shall bring the form in person to the Clerk at the Clerk's office (Section 44(6)). In order to participate, this must be done during normal office hours and any other voting place designated and between 12 noon and 5:00 pm on the day of an advance vote.

The Clerk shall, if satisfied that the person who appointed the voting proxy is qualified to appoint a proxy and the person so appointed is qualified to act as a proxy voter, give a certificate in the prescribed form.

On Election Day, the Clerk shall approve no application after 4:30 p.m.

The Clerk shall require proof of identity and residence as prescribed in *O. Reg. 304/13* of eligible elector appointed before certifying proxy. This form is a public record, and any person may inspect the copy on file with the Clerk.

“Appointment of Voting Proxy”, Form EL50, will be on the Municipality of Chatham-Kent website.

Voting Places

Voting Places (Section 45) - Establishing Voting Places

The Clerk shall ensure that each voting place is accessible.

Approved voting places will be posted to the Municipality of Chatham-Kent website. Locations will be confirmed in writing, ensuring each location will be open and clarifying what, if any, furniture will be provided by the owner. A contact person for Voting Day will be appointed. All owners/agents of premises where voting places are located will sign a standard agreement. The voting places will be large enough to permit a proper layout – secrecy for voter, etc.

In cases where there are voting places, the entire property will be considered as the voting place. Therefore, all campaign materials will be removed from the entire voting place.

In the case of institutions or retirement homes referred to in Section 45(7), the Clerk may establish reduced voting hours (Section 46(3)).

The Clerk shall establish the number and location of voting places for an election, as he/she considers most convenient for eligible electors. Each advanced voting place will be vote anywhere.

The Clerk may request, not less than fourteen days before voting day, that premises should be made available as a voting place that are under the control of:

- A landlord of a building containing 100 or more dwelling units
- A condominium corporation containing 100 or more dwelling units
- A municipality
- A school board; or
- A provincially funded institution

A landlord, municipality, school board or institution receiving such a request shall provide a space, other than a space being used as a dwelling, acceptable to the Clerk for use as a voting place. This space shall be provided free of charge.

There shall be compartments at every voting place in which eligible electors may mark their ballots without other persons being able to see what they have written. It is the responsibility of the Clerk and the Deputy Returning Officer respectively to ensure that a sufficient number of compartments are provided at each polling place.

Special Voting Places (Section 45(7))

A voting place shall be provided in or upon the premises of an institution located in a municipality that is:

- An institution for the reception, treatment or vocational training of persons who have served or are serving the Canadian Forces
- An institution which on nomination day has twenty or more beds occupied by persons who are disabled (i.e., an institution, including a hospital, a psychiatric facility, a home for the aged and a nursing home, which has twenty or more beds occupied by persons who are chronically ill or infirm); or
- A retirement home which, on nomination day, has fifty or more beds occupied

Attending to Elector (Section 45(8) – (10))

A Deputy Returning Officer may attend to an elector anywhere within the area designated as the voting place (Section 45, (8)-(10)).

Where a patient of the hospital or other institution is bedridden or is unable to walk, it is lawful for the Deputy Returning Officer with the candidates or their scrutineers to attend upon the person for receiving their ballot, but no Candidate or scrutineer shall be present where the ballot of any such voter is marked.

Supplies and Equipment for the Voting Place

The Clerk is responsible for delivering to the Election Officials in each municipality before voting day the following:

- A ballot box for their voting place
- Tabulator
- A sufficient number of ballots to supply the electors on the voting list of their voting place
- A sufficient number of the prescribed directions for the guidance of electors for the purposes of the voting place
- A Voters' List
- All materials necessary for the electors to mark their ballots; and
- Such other materials as are prescribed.

Voting boxes shall be made of durable materials and constructed in such a way that ballots can be deposited inside and cannot be withdrawn without the box being unsealed or being unsealed and unlocked.

When delivering the ballots for a voting place to a Deputy Returning Officer, the Clerk shall certify the number of ballots delivered. Upon receiving them, the Deputy Returning Officer shall count the ballots and forward the prescribed receipt to the Clerk and shall keep the certificate for return to the Clerk along with the other documents required to be returned to the Clerk.

Personnel

Clerk (Section 12(1))

A Clerk who is responsible for conducting an election 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.

DRO's and other Election Officials (Section 15)

When it is necessary to conduct an election, the Clerk shall appoint a Deputy Returning Officer, who may appoint any other election officials for the election, and for any recount that the Clerk considers are required.

The Clerk may delegate to a Deputy Returning Officer or other election official any of the Clerk's power or duties in relation to the election as he or she considers necessary. The Clerk may continue to exercise the delegated powers and duties despite the delegation. The delegation shall be in writing, and on the prescribed oath.

On Election Day, a substitute qualified person shall be appointed to handle election details if the Clerk is unable to attend to them.

Appointments and oaths will be included with the list of forms at the end of this document.

Duties and Responsibilities of the Site Manager

Position: Site Manager

Reports To: Clerk or designate

Delegation of Powers and Duties: The Municipal Elections Act, 1996 authorizes the Clerk to "appoint any other election officials for the election and for any recount that the Clerk considers are required".

"Site Manager", defined as an election official appointed by the Clerk or designate to assist in the management of voting locations in relation to the conduct of the 2026 Municipal Election.

Goals and Objectives: To maintain the integrity of the election process and to assist in carrying out the election Responsibilities:

All duties and responsibilities of the Voting Clerk shall be performed in accordance with the Municipal Elections Act, 1996, and the procedure set out and/or approved by the Clerk.

Pre Voting Day:

- Attend the training session and sign “Appointment and Oath of an Election Official” Form EL11
- Familiarize themselves with the election ballots, forms, oaths, voters’ lists, voting location, and relevant sections of the Municipal Elections Act

Voting Day:

Before the Opening of the Voting Place, Responsibilities include:

- Arrive at the voting place one hour prior to opening
- Set up the voting location and assist where necessary in the setup of voting stations
- Ensure the removal of all campaign material in the area surrounding the voting location
- Open the voting location at 10:00 a.m. or as otherwise directed

During Voting Hours, Responsibilities include:

- Effectively manage the operation of the voting location
- Ensuring the conduct and integrity of the voting process
- Distribute ballots to the DROs and cross-reference ballot numbers with DROs at the end of the day
- Ensure that the voting location is free of campaign material and is private
- Contact the Clerk in the event of emergency
- Close the voting location at 8:00 p.m. or as otherwise directed (i.e., institutions)

After the Close of the Voting Place, Responsibilities include:

- Ensure the cleanup and return of materials from the voting location

*Remuneration for this role is \$400. This includes all required training and mileage.

Duties and Responsibilities of the Deputy Returning Officer

Position: Deputy Returning Officer

Reports To: Clerk or designate

Delegation of Power and Duties: The Municipal Elections Act, 1996 authorizes the Clerk to “appoint any other election officials for the election and for any recount that the Clerk considers are required”.

"Deputy Returning Officer" (DRO), defined as an election official appointed by the Clerk or designate to assist the Clerk in the performance of his or her duties in relation to the conduct of the 2026 Municipal Election.

Goals and Objectives: To maintain the integrity of the election process and to assist in carrying out the election.

Responsibilities: All the duties/responsibilities of the Deputy Returning Officer shall be carried out in accordance with the Municipal Elections Act, 1996 and the procedure set out and/or approved by the Returning Officer.

Pre Voting Day:

- Attend the training session and sign “Appointment and Oath of Election Official” EL11
- Pick up the voting supplies for their voting station
- Verify the supplies received with the supply list provided by the Clerk
- Familiarize themselves with the election ballots, forms, oaths, voters’ lists, voting location, and relevant sections of the Municipal Elections Act
- Sign “Certificate and Receipt for Ballots” Form A

Voting Day:

Before the Opening of the Voting Place, Responsibilities include:

- Arrive at the voting place one hour prior to opening
- Set up the voting station and assist where necessary in the setup of the voting location
- Assist with the removal of all campaign material in the area surrounding the voting location
- Open the voting station at 10:00 a.m. or as otherwise directed (i.e., institutions)

During Voting Hours, Responsibilities include:

- Ensuring the conduct and integrity of the voting process
- Determine the eligibility of voters
- Ensure that all eligible voters who request a ballot receive a ballot
- Ensure that the voting place is free of campaign material and is private
- Administer oaths, as required
- Ensure that all ballots are accounted for
- Under the direction of the Site Manager, contact the Clerk in the event of emergency
- Close the voting station at 8:00 p.m. or as otherwise directed (i.e., institutions)

After the Close of the Voting Place, Responsibilities include:

- Reconcile the number of ballots remaining after the close of polls
- Assist the Tabulator Deputy Returning Officer in a manual count, if required
- Assist with the cleanup and return of materials from the voting location

*Remuneration for this role is \$300. This includes all required training and mileage.

Duties and Responsibilities of the Tabulator Deputy Returning Officer

Position: Tabulator Deputy Returning Officer

Reports To: Clerk or designate

Delegation of Powers and Duties: The Municipal Elections Act, 1996 authorizes the Clerk to "appoint any other election officials for the election and for any recount that the Clerk considers are required"

"Tabulator Deputy Returning Officer", defined as an election official appointed by the Clerk or designate to assist the Clerk in the performance of his or her duties in relation to the conduct of the 2026 Municipal Election.

Goals and Objectives: To maintain the integrity of the election process and to assist in carrying out the election.

Responsibilities: The duties/responsibilities of the Tabulator Deputy Returning Officer shall be performed in accordance with the Municipal Elections Act, 1996 and the procedures established by the Clerk.

Pre Voting Day:

- Attend the training session and sign "Appointment and Oath of an Election Official" Form EL11
- Pick up the voting necessary supplies
- Verify the supplies received with the supply list provided by the Clerk
- Familiarize themselves with the election ballots, forms, oaths, voters' lists, voting location, and relevant sections of the Municipal Elections Act

Voting Day:

Before the Opening of the Voting Place, Responsibilities include:

- Arrive at the voting place one hour prior to opening
- Assist with the removal of all campaign material in the area surrounding the voting location
- Set up the tabulator station and assist where necessary in the setup of the voting location
- Allow any scrutineers present fifteen minutes prior to the opening of polls to inspect the ballot box and place their seal
- Open the voting station at 10:00 a.m. or as otherwise directed

During Voting Hours, Responsibilities include:

- Ensuring the conduct and integrity of the voting process
- Ensure that the voting place is free of campaign material and is private
- Ensure that all ballots are accounted for
- Under the direction of the Site Manager, contact the Clerk in the event of emergency
- Close the voting station at 8:00 p.m. or as otherwise directed (i.e., institutions)

After the Close of the Voting Place, Responsibilities include:

- Conduct the counting of the ballots accurately and in a timely manner
- In the event of a manual count, decide whether a ballot is to be counted or not with the assistance of site Deputy Returning Officers
- Once the counting of the ballots has been completed call the Municipal Election Office with the voting results
- Seal the ballot box and immediately return all election materials and the ballot box to the Clerk
- Under the direction of the Site Manager, contact the Clerk in the event of difficulties

* Remuneration for this role is \$300. This includes all required training and mileage.

Duties and Responsibilities of Greeter

Position: Greeter

Reports To: Site Manager

Delegation of Powers and Duties: The Municipal Elections Act, 1996 authorizes the Clerk to “appoint any other election officials for the election and for any recount that the Clerk considers are required.”

"Greeter", defined as an election official appointed by the Clerk or designate to assist the Site Manager in the performance of his or her duties in relation to the conduct of the 2026 Municipal Election.

Goals and Objectives: To maintain the integrity of the election process and to assist in carrying out the election.

Responsibilities: The Greeter's duties/responsibilities shall be performed in accordance with the Municipal Elections Act, 1996, and according to the procedure established and/or approved by the Clerk.

Pre Voting Day:

- Attend the training session and sign “Appointment and Oath” Form EL11

Voting Day:

Before the Opening of the Voting Place, Responsibilities include:

- Arrive at the voting place one hour prior to the opening of the voting place
- Assist the Site Manager with their responsibilities preparing the polling location for receiving electors

During Voting Hours, Responsibilities include:

- Direct voters to appropriate election staff
- Under the direction of the Site Manager or Deputy Returning Officer, contact the Clerk in the event of an emergency

After the Close of the Voting Place, Responsibilities include:

- Assist with the cleanup and return of materials from the voting location

*Remuneration for this role is \$250. This includes all required training and mileage.

Duties and Responsibilities of the Revision Clerk

Position: Revision Clerk

Reports To: Site Manager

Delegation of Powers and Duties:

The Municipal Elections Act, 1996 authorizes the Clerk to "appoint any other election officials for the election and for any recount that the Clerk considers are required".

"Revision Clerk", defined as an election official appointed by the Clerk or designate to assist the Clerk in the performance of his or her duties in relation to the conduct of the 2026 Municipal Election.

Goals and Objectives: To maintain the integrity of the election process and to carry out the election process.

Responsibilities: The Clerk will assign all duties/responsibilities of the Revision Clerk.

Pre Voting Day:

- Attend the training session and sign "Appointment and Oath of an Election Official" Form EL11
- Familiarize themselves with the election forms, oaths, voters' lists, voting location, and relevant sections of the Municipal Elections Act

Voting Day:

Before the Opening of the Voting Place, Responsibilities include:

- Arrive at the voting place one hour prior to opening
- Set up the revision station and assist where necessary in the setup of the voting location
- Assist with the removal of all campaign material in the area surrounding the voting location
- Open the revision station at 10:00 a.m. or as otherwise directed

During Voting Hours, Responsibilities include:

- Ensuring the conduct and integrity of the revision process
- Determine the eligibility of voters
- Ensure that all eligible voters who request to be placed on the list of electors are placed on the list of electors
- Ensure the privacy of elector information at the revision station
- Administer oaths, as required
- Under the direction of the Site Manager, contact the Clerk in the event of emergency
- Close the revision station at 8:00 p.m. or as otherwise directed

After the Close of the Voting Place, Responsibilities include:

- Assist with the cleanup and return of materials from the voting location

*Remuneration for this role is \$275. This includes all required training and mileage.

Duties and Responsibilities of the Mobile Deputy Returning Officer

Position: Mobile Deputy Returning Officer

Reports To: Clerk or Designate

Delegation of Power and Duties: The Municipal Elections Act, 1996 authorizes the Clerk to “appoint any other election officials for the election and for any recount that the Clerk considers are required”.

"Mobile Deputy Returning Officer" (MDRO), defined as an election official appointed by the Clerk or designate to assist the Clerk in the performance of his or her duties in relation to the conduct of the 2026 Municipal Election at institutions.

Goals and Objectives: To maintain the integrity of the election process and to assist in carrying out the election.

Responsibilities: All duties/responsibilities of the Mobile Deputy Returning Officer shall be carried out in accordance with the Municipal Elections Act, 1996 and the procedure set out and/or approved by the Returning Officer at institutions.

Pre-voting Day:

- Attend the training session and sign “Appointment and Oath of Election Official” EL11
- Pick up the voting supplies from their voting locations
- Verify the supplies received with the supply list provided by the clerk
- Familiarize themselves with the election ballots, forms, oaths, voters’ lists, voting location, and relevant sections of the Municipal Elections Act
- Sign “Certificate and Receipt for Ballots” Form A

Voting Day:

Before the Opening of the Voting Place, Responsibilities include:

- Arrive at the voting place one hour prior to opening
- Set up the voting station and assist where necessary in the setup of the voting location
- Assist with the removal of all campaign material in the area surrounding the voting location
- Open the voting station at the time indicated by the institution

During Voting Hours, Responsibilities Include:

- Ensuring the conduct and integrity of the voting process
- Determine the eligibility of voters
- Ensure that all eligible voters who request a ballot receive a ballot
- Ensure that the voting place is free of campaign material and is private
- Administer oaths, as required
- Ensure that all ballots are accounted for
- Contact the clerk in the event of emergency
- Close the voting station at the time indicated by the institution

After the Close of the Voting Place, Responsibilities Include:

- Reconcile the number of ballots remaining after the close of polls
- Cleanup polling location and return materials from the voting location

* Remuneration for this role is \$300. This includes all required training and mileage.

Advance Vote

Advance Vote (Section 43)

Advance voting will be **Thursday, October 15, 2026 to Saturday, October 17, 2026.**

The advance voting place is to be open:

- **Thursday, October 15, 2026, from 12:00 p.m. to 7:00 p.m.**

- **Friday, October 16, 2026, from 10:00 a.m. to 4:00 p.m.**
- **Saturday, October 17, 2026, from 10:00 a.m. to 4:00 p.m.**

The Clerk shall establish and provide as many voting places as he/she considers necessary. These locations should be established early. The Clerk will provide information as to their location.

Except for authorized election staff, electronic devices are not permitted in voting locations. All devices must be set to vibrate upon entry to the voting place.

As soon as possible after the close of the advance vote, the advance vote DRO's must deliver a list of the names of all the persons who voted at the advance vote to the Clerk, showing the voting subdivision for each elector as per "List of Persons Who Voted at an Advance Vote".

The Clerk shall, if requested by any candidate or their scrutineer, provide a copy of this list to the candidate during normal office hours.

The Clerk is responsible for updating voting lists on voting days in order to reflect voting that took place during an advance vote.

At the close of the advance vote on the day of the advance vote, the Clerk shall receive from the DRO the ballot box, tabulator memory card, and other materials and documents for safekeeping.

Considering the changes with respect to revising the Voters' List, it may be necessary to set up a separate table or desk for each voting place to process these requests. The Clerk must delegate this authority, in writing.

The Clerk or designate must be available at the Civic Centre and any other municipal service office, on any advance voting day from noon until 5:00 p.m. for the purpose of certifying voting proxies.

Section 45 of the *Act*, except Subsection (7), regarding Voting Day, applies with necessary modifications.

Procedures at the Voting Place on Voting Day

Procedures at the Voting Place

Voting Day will be **Monday, October 26, 2026**.

The voting place is to be open from **10:00 a.m. to 8:00 p.m.**

The Site Manager and other election officials should arrive early enough to set up the voting place (at least one-half hour prior to opening). Ensure that all DROs have taken the oath and

been appointed as per the “Appointment and Oath of Election Official” Form EL11.

The Election Official shall document all complaints regarding any and/or all breaches of secrecy. This includes questions and answers of the complainant, and if deemed appropriate, the Clerk shall submit it to the Police for further investigation and prosecution.

The DRO should take the following to the voting station:

- Ballot box and its contents
- Any other material issued by the Clerk
- Voting screens
- Handbook

Only election officials, qualified candidates and scrutineers may remain in the voting place throughout the day. One scrutineer appointed for each certified candidate and for each ballot box in use at the voting place may be present - **only the candidate or their scrutineer may be present, but not both**. Scrutineers must present their certificate of appointment to the DRO.

It is the responsibility of the Site Manager, together with the DRO, to ensure the smooth operation of the voting station. If, in the DRO's opinion, individuals present at the voting station are interfering with this process, then the DRO should report the problem to the Clerk through the Site Manager.

Setting up the Voting Station

- Set up tables and chairs
- Place the voter privacy screens in a location that ensures privacy
- Ensure there is no campaign literature, materials, or signage in the voting station, periodically throughout the day
- Post the "Statutory Provisions Regulating Voting Procedures" Form EL34
- Post the "Voting Instructions (Manual Count Ballot)", Form EL29(A), and the “Notice of Offence Corrupt Practice”, Form EL35, in the voting station and in the voting booth

You may also have signs directing electors to the exact location of the voting station; post these where required throughout the voting place.

Examining the Ballots

Candidates or scrutineers who are present have the opportunity to inspect the ballots and all other materials relating to the voting station. This must be done fifteen minutes before the opening of the polling place if it does not interfere with its opening.

Setting up the Ballot Box

Before opening the polling booth, the Tabulator DRO must show the ballot box to anyone present in the voting station to confirm that it is empty and then seal it in such a way that

it cannot be opened without breaking the seal.

Opening of the Voting Place

Doors to the voting place should be opened at exactly 10:00 a.m. At this time, you should be ready to receive electors.

Except for authorized election staff, electronic devices are not permitted in voting locations. All devices must be set to vibrate upon entry to the voting place.

Who is entitled to Vote?

It is the right of any elector whose name appears on the list of electors or who produces a completed "Application to Amend Voters' List", Form EL15, authorizing their name to be added to the list to vote. Each elector is entitled to only one ballot for the Municipality of Chatham-Kent.

If an elector's name inadvertently appears more than once on a voting list, the elector shall not vote more than once and shall vote for the poll/ward where he/she resides. It is possible for an elector's name to appear on the voting list of more than one municipality. That elector may be eligible to vote in both municipalities. For example, a person listed as a resident elector in one municipality and a non-resident elector in another municipality is entitled to vote in each, provided they are not voting for the same office more than once.

The voting for school board trustees must take place in the municipality where the elector resides.

Acceptable Documents for Voter Identification

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

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

11. Any document from a Band Council in Ontario established under the *Indian Act* (Canada)
12. An income tax assessment notice
13. A Child Tax Benefit Statement
14. A Statement of Employment Insurance Benefits Paid T4E
15. A Statement of Old Age Security T4A (OAS)
16. A Statement of Canada Pension Plan Benefits T4A (P)
17. A Canada Pension Plan Statement of Contributions
18. A Statement of Direct Deposit for Ontario Works
19. A Statement of Direct Deposit for Ontario Disability Support Program
20. A Workplace Safety and Insurance Board Statement of Benefits T5007
21. A property tax assessment
22. A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement
23. A CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities
24. A hospital card or record
25. A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution
26. A document showing residence at a long-term care home under the *Long-Term Care Homes Act, 2007*, issued by the Administrator for the home
27. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission
28. A cheque stub, T4 statement or pay receipt issued by an employer
29. A transcript or report card from a post-secondary school

Usual Voting Procedure

When an elector arrives to vote, the DRO must verify that the person is entitled to vote then cross the elector's name off their copy of the voting list.

Prior to giving a ballot to a qualified elector, the DRO must mark their initials on the Ballot so that they are clearly visible. If an elector requests an explanation of the voting procedure, the DRO must briefly and accurately explain the procedure.

As required by Section 52 (1) the electors shall provide the prescribed proof of identity and residence as per *O. Reg. 304/13* or complete the "Oath of Qualification", Form D.

The elector must proceed immediately to the voting booth, mark the ballot with the pen provided, place it in the secrecy folder leaving the DRO's initials exposed and, immediately, take it to the Tabulator DRO without letting anyone see what marks have been made on the face of the ballot. The Tabulator DRO will feed the ballot into the tabulator. The voter should stay long enough to make sure the Tabulator DRO deposits the ballot in the ballot box. If the elector has made an error casting their ballot (i.e., under voted/ over voted), the elector will need to

determine if he/she would like to re-cast his ballot or complete a new one. An elector is only entitled to receive one additional ballot. Once the tabulator has accepted the ballot, then the elector should leave the voting place.

A person whose ballot has been placed in the ballot box by the Tabulator DRO is deemed to have voted and may not vote again under any circumstances.

Cancelled Ballots

In the event that an accidentally spoiled ballot is returned to the DRO, a new ballot will be issued. DROs must immediately mark the ballot "cancelled" and place it in the envelope provided for cancelled ballots.

The cancelled ballot should be recorded on the tally sheet provided, so that the total number of ballots issued remains accurate; however, they do not count toward the total number of ballots cast.

An elector is no longer entitled to vote if, after receiving a ballot, he/she leaves the voting place without returning the ballot or declines to vote and returns the ballot. The DRO shall record this on the Voter's List.

Declined Ballot

In the event that an elector declines to vote for all offices for which he/she is eligible to vote, the ballot may be marked "declined" and placed in the envelope provided for declined ballots. A declined ballot is to be recorded on the tally sheet provided and will contribute to the total number of votes cast.

If an elector wishes to decline to vote for at least one office and to vote for at least one office, he or she should be provided a ballot and should mark the ballot except for the office being declined. The marked ballot should be returned to the Tabulator DRO and placed into the tabulator. Depending on how the voter declined to vote for a particular office, the tabulator will hold the ballot and indicate whether the voter has over- or under-voted for that office. The elector will then need to confirm that he/she wishes to cast their ballot anyway.

Amendment of Voters' List

When an elector arrives to vote with an "Application to Amend Voters' List" Form EL15, the DRO should ensure the Clerk signs the form or designate. The elector's name and address should then be verified and added to the Voters' List. A ballot is then issued after the form has been placed in the envelope provided.

If a person arrives to vote and is not on the voting list, he/she must complete the declaration on the "Application to Amend Voters' List" Form EL15. The Revision Clerk or DRO shall request

proof of identification as prescribed in O. Reg. 304/13. A ballot must be issued, and the individual's name and address added to the Voters' List.

Electors Requiring Assistance (Section 52(1)4)

The Election Official may permit an elector who needs assistance in 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 may ask the Election Official for assistance. The Election Official shall require the voter making the request to take the Oral Oath to Vote with Assistance on the "Oral Oath of Friend or Interpreter", Form EL27, and then vote as directed by the voter. Any other person present must withdraw until the voter finishes instructing the Election Official. Upon completion, the Election Official shall place the ballot in the secrecy folder, and then the Tabulator DRO will insert the ballot into the tabulator.

Oral Oath of Friend of Elector

The voter may request that a friend accompany the voter into the voting booth and vote for the voter. Any friend who is permitted to vote shall be required to take the Oral Oath of Friend of Elector on the "Oral Oath of Friend or Interpreter", Form EL27. No person shall be allowed to act as a friend of more than one voter at a Voting Place, except a voting place established under Section 45(7).

Oral Oath of Interpreter

Where the Election Official does not understand the language of a voter, an interpreter, provided by the voter, shall take the Oral Oath of Interpreter on the "Oral Oath of Friend or Interpreter", Form EL27, and shall translate the oaths as well as any lawful questions put to the voter.

Proxy Voting

An eligible elector may appoint another eligible elector to vote on their behalf. This person is known as the voting proxy. The elector must present himself/herself to vote on behalf of another individual and have an "Appointment of Voting Proxy", Form EL50. The DRO shall request proof of identification as prescribed in O. Reg. 304/13 and must give the oral oath on the "Appointment of Voting Proxy", Form EL50, cross the name of the eligible elector off the Voters' List and give the proxy voter the ballot. The DRO must file the proxy form in the envelope provided.

Forfeited Ballots

If an elector receives a ballot from the DRO and leaves the voting place with the ballot, the elector then forfeits their, right to vote. The DRO should then mark "forfeited vote" on the Voters' List.

The Record Shows an Elector has Already Voted

There is provision that allows a voter to cast a ballot if it appears that someone else has voted in their name or that the Voters' List has been incorrectly tagged. The person must be willing to take the prescribed "Oath of Qualification" Form D and provide proof of identity and residence as prescribed in *O. Reg. 304/13*. The person's name and address are then entered again on the list.

Requirement to Provide Proof of Identity

All eligible electors will be required to provide proof of identity and residence in order to obtain a ballot at the location. The type of identification is prescribed in *O. Reg. 304/13* and includes but is not limited to an Ontario Driver's License and an Ontario Identification Card. An elector on the Voters' List without identification may make a statutory declaration "Oath of Qualification" Form D.

Challenging Eligibility

If a candidate or scrutineer challenges the right of a person to vote, the DRO must note it for the person's name on the Voters' List "objected to by (the name of the candidate)" or "objected to by (name of scrutineer) on behalf of (name of candidate)". The DRO may also challenge an individual on their own initiative if they have reason to believe the person is not entitled to vote in that voting place. In either case, the challenged individual must then take the "Oath of Qualification", Form D.

Upon refusing to swear, a ballot must be refused, and the words "refused to affirm" or "refused to be sworn" entered next to that person's name on the Voters' List maintained by the DRO.

Closing the Voting Place

As of 8:00 p.m., the voting place will be closed and anyone waiting in line at the close of the voting place is entitled to vote.

Internet Voting Procedure

Authority (Section 42)

It is required that a by-law authorizing the use of Alternate Voting Methods be passed on or before June 1 of the election year.

To authorize a method of voting, a bylaw must be passed.

Section 42(5) further states that when a by-law authorizing the use of an alternative voting method is in effect (By-law #82-2021)

Service Provider

The vendor of record for internet voting is Voatz, Inc.

System Integrity

The Clerk shall be responsible for maintaining the integrity of the voting process by:

- a) Ensuring that every eligible elector on the Voters' List, as amended, is sent a Voter Identification Number Card containing the voter's unique Elector I.D., by first class mail; and
- b) Providing an opportunity for eligible electors to be added to the Voters' List or to make amendments to the list, up to and including Election Day, at 8:00 p.m.

Voting System Test

The Election Coordinator with ITT Services shall test the voting system.

Secrecy

All Election Officials will take an oath and be appointed as per the "Appointment and Oath on an Election Officials" Form EL11.

The Election Official shall document all complaints regarding any and/or all breaches of secrecy. This includes questions and answers of the complainant, and if deemed appropriate, the Clerk shall submit it to the Police for further investigation and prosecution.

Preparation of Voter Identification Number Cards (VINs)

Voter Identification Number Cards will contain unique Elector I.D.s for every eligible elector registered to vote with the Municipality of Chatham-Kent. Elector I.D.s will be required when registering to vote online. Electors should receive VINs no later than the second week of October.

The Voters' List, consisting of the Preliminary List of Electors and the Interim List of Changes, shall be provided to DataFix in electronic format so that the Voter Identification Number Cards can be produced.

The Voter Identification Cards will be delivered to Canada Post by the second week in October and distributed by first class mail to all eligible voters to enable them to use the Internet Voting

service.

The Voter Identification Number Cards will contain:

- a) The elector's unique Elector Identification number with barcode.
- b) Dates, hours and locations of voting (including advance and internet voting)
- c) Voter eligibility criteria.
- d) Location and contact information for the Municipality Clerk's Office (Election Office)

A person cannot give their Unique Elector Identification to another eligible elector for voting. Acceptance of another person's pin number, 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 Sections 89 and 90.

The Election Office

The Election Office shall be responsible for the following:

- a) Eligible voters who attend at the Election Office and are not on the Voters' List will be able to be added to the list by filling out an "Application to Amend Voters' List", Form EL15, and providing proof of identity and residence as prescribed in *O. Reg. 304/13*. Their names will be added to the Voters' List, and they will be assigned and delivered a Voter Identification Number Card; however, for additions to the List made after September 18, 2026, the Notice of Voter Registration will be provided to the individual
- b) Eligible voters who attend the Election Office will also be able to request a "replacement" Notice of Voter Registration in the event they did not receive or need to be re-issued a PIN. Where an elector requires a new PIN, he/she must attend the Election Office and prove to the satisfaction of the Election Official that:
 - a) they require a new PIN
 - b) they are the eligible elector as indicated on the Voters' List
- c) Answering election questions and referring detailed questions to the Returning Officer or authorized Election Official

Internet Voting

Internet Voting will commence on **Thursday, October 8, 2026 at 10:00 a.m. through to Friday October 16, 2026, at 4:00 p.m.**

During the Voting Period, the Clerk's Office will be open Monday to Friday, 8:30 a.m.- 4:30 p.m., and on Voting Day between the hours of 8:30 a.m. and 8:00 p.m. Candidates or their scrutineer may be present to verify and ensure that all totals of votes cast are at "0" and shall be required to attest to this fact at the Clerk's Office, at the close of polls on Election Day.

Eligible electors will be able to access a designated internet address and cast their vote(s). Every eligible elector shall be limited to one ballot for all races and questions, for which they are entitled to vote, with the use of a PIN.

Once a voter 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 change their selection. If the selection of a particular race or question is not confirmed and the vote is not cast, the voter is able to re-enter the system and make their selection, casting their vote for that particular race or question, or any other race or question that has not been previously voted.

Upon using a Voter PIN to complete a ballot, the Voter PIN cannot be used again, nor can further access to the internet voting service be granted using that PIN.

The names of electors who have voted during the voting period will be provided to the Clerk electronically by Voatz, Inc. using the Clerk's assigned password. A report will be created in an electronic file format suitable for electronic distribution and will only be done under the control and direction of the Clerk.

If requested in writing by a candidate(s) on Form EL14, "Candidate's Declaration - Proper Use of Voters List", the Clerk will provide a list of Advance Poll voters, after the Advance Poll period on paper or in the electronic version.

Duplicate Voter Information Letters

Duplication of names on the Preliminary List of Electors shall be investigated by the Clerk and/or Election Official(s), and all obvious duplicate names of individuals shall be deleted prior to the final preparation of the Voters' List as certified by the Clerk. However, should an eligible voter receive more than one Voter Notification Card, the eligible voter may only vote once and must return the other Voter Notification Card(s) to the municipal Election Office and complete an "Application to Amend Voters' List", Form EL15, to remove the duplicate name(s).

The Clerk and the Election Official(s) shall ensure a complete audit trail is maintained of all Voter Notification Cards:

- (a) that were sent to eligible voters;
- (b) that were returned from the Post Office;
- (c) that were returned by an elector or other individual(s) either opened or unopened but unused for voting purposes;
- (d) that were re-issued to an eligible elector; and
- (e) that were assigned by Election Officials to eligible electors that have completed "Application to Amend Voters' List" Form EL15.

Pin Procedures

Where an eligible voter has tried their PIN and has been unsuccessful in accessing the voting system, the Election Official will determine its status and once verified shall advise the voter that the PIN is valid and has not been used. The Election Official may suggest the voter try the PIN or attend the Municipal Office to obtain assistance in voting.

Where an eligible voter has tried their PIN and has determined that it has already been used, the voter can present themselves at the Clerk's Office with proof of identity and residence as prescribed in *O. Reg. 304/13* and have an Election Official confirm that the elector's PIN has been used. If this is the case, follow the procedure outlined in the section titled, Election Office, b).

Scrutineers

Scrutineers (Section 16 & 47) - Appointment - by candidate – qualification

A candidate may appoint scrutineers to represent him/her during voting and at the counting of the votes, including during a recount.

The appointment shall be made using the "Appointment of Scrutineer by Candidate", Form EL12A. The forms to appoint scrutineers must be signed by the candidate. The candidate shall provide the signed form to their scrutineer, who will be required to present it to the Site Manager and/or DRO at a voting location or the Clerk or designate at Civic Centre.

Number - per candidate - in voting place or counting location - one only

Not more than one scrutineer representing each candidate may be in the voting place or counting location for each ballot box for any of the purposes specified in Section 47 (1) at any time. Only one candidate or their appointed scrutineer is permitted to attend a voting place or counting location at one time. The scrutineer/ candidate must take an "Oral Oath of Secrecy", Form EL12B, at each voting place or counting location.

Appointment - by Council - re by-law – question

Council may appoint scrutineers, by resolution, in relation to voting on a by-law or question submitted to the electors, to attend at a voting place and at the counting of votes, including a recount.

There shall be equal numbers of scrutineers appointed for each possible answer to the question and one scrutineer for each answer may be present for each ballot box/poll in use at the voting place. Equal numbers of scrutineers shall be appointed to represent supporters and opponents of the by-law and one scrutineer representing supporters and one representing opponents may be present for each ballot box/poll in use at the voting place.

Appointment - by elector - re recount (Section 61 (1))

An elector who applies for a recount may appoint scrutineers. Appointment is limited to not more than one scrutineer for each recount station established by the Clerk.

The “Appointment of Scrutineer by Elector”, Form EL12A, must be signed by the applicant in the event of a re-count. Forms will be available at the Clerk’s Office. The scrutineer/ candidate must take an “Oral Oath of Secrecy”, Form EL12B, at each voting place or counting location.

Appointment – evidence of

A person appointed as a scrutineer, before being admitted to a voting place shall show proof of their applicable appointment to the Site Manager and/or DRO for the voting place or of a place where votes are being counted and shall provide proof of identity and residence as prescribed in *O. Reg. 304/13*.

Scrutineers’ Rights and Prohibitions

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

Appointment - by candidate – qualification

A candidate may appoint scrutineers to represent him/her at the Clerk’s Office and during the receipt of voting results, including during a recount.

The appointment shall be made using the “Appointment of Scrutineer by Candidate” Form EL12A. The forms to appoint scrutineers must be signed by the candidate in person at the municipal office. The candidate may be asked for proof of identity. The candidate shall provide this signed form to their scrutineer.

Number - per candidate - in Clerk’s Office - one only

Not more than one scrutineer representing each candidate may be in the Clerk’s Office for any of the purposes specified in Section 47 (1) at any time. The scrutineer/ candidate must also take an “Oral Oath of Secrecy”, Form EL12B, from the Clerk or designate while in attendance at the Clerk’s Office.

Count Procedures

Materials to be delivered to Site Manager to Clerk (Section 55)

As soon as possible after counting the votes, the Site Manager shall:

- Prepare a statement supplied by the Clerk, in duplicate, showing the results of the election at the voting place or counting location
- Seal the ballot box
- Deliver ballot box and original statement of results to the Clerk
- Not give a copy of the statement of results to anyone but the Clerk. Scrutineers or candidates receive statement of results from the Clerk

Advance Vote Count (Section 43 (5))

The Clerk will receive from the DRO, on each day the advance vote is held, the ballot box and other materials and documents for safekeeping at the municipal office following the end of the vote.

Ballots are counted by the DRO's and other election officials after the close of the vote (8:00 p.m.) on Voting Day. Candidates, except a candidate declared elected by acclamation, or scrutineers are entitled to be present.

Count Voting Places in Institutions or Retirement Homes (Section 45)

The casting of ballots in sealed cardboard ballot boxes received from institutions or retirement homes referred to in Section 45 (7) that have reduced voting hours (Section 46 (3)) will be taken to Election Headquarters (or a designated area) immediately following each team's last voting location and cast into the tabulators. The tabulators will be closed at the end of Voting Day (8:00 p.m.).

Count Procedures for Internet Voting

Internet voting ends at **4:00 p.m. on Friday, October 16, 2026.**

The Clerk shall then request the tabulation of the results for each candidate to be sent by download to the Clerk's Office at Civic Centre at the end of Election Day. Those present, including the Clerk, the Candidates, or their scrutineers, shall sign the Vote Count Summary Report indicating the results and votes cast.

Count Procedures at Civic Centre

- 1) Only the Clerk, Deputy Returning Officers, appointed Election Officials, certified Candidates (an acclaimed candidate or their scrutineer is not permitted) and authorized scrutineers will be permitted to remain at the count
- 2) Entrance to the count will not be permitted after 8:00 p.m. on October 26, 2026, and only Election Officials will be allowed to enter thereafter. Candidates and scrutineers are to arrive between 7:45 p.m. and 8:00 p.m. Once admitted to the count, no one shall be permitted to leave until the results are received and all in attendance have signed the Vote Count Summary Report

- 3) A person appointed as scrutineer shall also produce and show their Form EL12A to the Clerk. He/she will also be required to take the Oral Oath of Secrecy, Form LC12B, from the Clerk
- 4) The Clerk or designate may require Candidates, Scrutineers and other authorized attendees to show proof of identity as prescribed in *O. Reg. 304/13*
- 5) Anyone who is creating a disturbance at the Receiving Location will be removed as directed by the Clerk. Cell phones and other equipment shall be turned off upon entering the count and their use is prohibited, except by Election Officials

Use of Tabulator

A vote tabulator will not be provided at the retirement/nursing home locations. The Returning Officer, Deputy Returning Officer and one or two Election Official(s) shall attend each nursing/retirement home and assist the residents. All the ballots shall be deposited into the ballot box, which will be returned to the Municipality by the Election Official to be counted by a vote tabulator on Election Day.

Programming of the Vote Tabulator

The vote tabulator shall be set up in such a way as to print a record of the number of votes cast for each candidate in accordance with the instructions in the Operator's Manual.

A vote tabulator shall be programmed so that defective or damaged ballots may be returned to the Tabulator Deputy Returning Officer/designate if they are unable to be properly processed by a vote tabulator.

Testing the Vote Tabulators

Before voting day, the Clerk shall test the vote tabulators to ensure that they will accurately count the votes cast for all candidates.

The test shall be conducted according to the Logic & Accuracy Testing Procedures Handbook.

The Clerk shall, seal the memory Card to the vote tabulator at the successful completion of the test.

If the Clerk detects any error in the test, the Clerk will determine the cause of the error and make the necessary corrections before repeating the test until no error is present.

Tabulator Deputy Returning Officer

The Clerk shall assign Tabulator Deputy Returning Officers (TDROs) who shall be responsible for the operation of the vote tabulators including receiving ballots and feeding ballots into the tabulator. They will be responsible for results reporting.

Replacing a Defective Tabulator

The Clerk or designate is responsible for replacing defective vote tabulators. The replacement of the defective vote tabulator shall be undertaken at the Ballot Counting Centre in full view of any scrutineers, and any other election staff assigned to the Ballot Counting Centre. The procedure for replacing a vote tabulator shall be as follows:

The Clerk, or designate, shall:

1. Turn off the defective vote tabulator
2. Break the security seal
3. Remove the memory card from the defective vote tabulator
4. Remove the defective vote tabulator from the podium box and replace with a new vote tabulator
5. Install memory card into new vote tabulator and affix the security seal,
6. Switch power on to the new vote tabulator

Upon completion of these procedures, the DRO shall perform the following procedures in full view of any scrutineers, electors and any other election staff:

1. Remove the uncounted ballots from the ballot box
2. Feed the uncounted ballots face down into the vote tabulator
3. Continue operation of the vote tabulator until the close of the polls

Invalid/Undefined Marks

A voter may mark their ballot in a manner that the vote tabulator cannot read properly or may damage their ballot. The vote tabulator will return the ballot.

The DRO will advise that there is a problem with a ballot and advise that the elector may:

1. Take back their ballot and correct any errors
2. Request a new ballot from the DRO (this may be done only once)
3. Cast their ballot, regardless of warnings

Should a ballot at any time jam against the ballot box when exiting the vote tabulator, then move the ballot box back slightly and manually assist the ballot to exit properly. Replace the ballot box into position. Continue counting ballots. If this happens on a frequent basis, the ballot box may need to be replaced.

Procedure for Closing a Vote Tabulator on Election Day

It is the duty of the DRO to follow the following procedure on the final voting day and upload the election results to the municipal server when the vote tabulator is used:

After the count, upload the election results to the server. The Site Manager or DRO shall pick up the vote tabulator and the "Invalid Ballots Ballot Box" with the printout tapes and

transport them to the Election Office.

Failure of Tabulator at 8 pm on Election Day

In the event that the Clerk believes it is impossible to obtain the results of the vote from the vote tabulator at the close of Election Day, he or she may direct that all votes cast be manually counted in accordance with the provisions of the Municipal Elections Act, 1996, as amended, governing the counting of votes. Alternately, the Clerk may direct a new vote tabulator at the Election Office following the change of the memory card counting the ballots.

Retention of Election Records

The Clerk shall retain the programs, memory cards, test materials and used ballots in the same manner as is provided for in the Act for the keeping of ballots, at the completion of the count.

- 1) The Clerk shall retain and may have access to the pre-audited group of ballots referred to above and other materials used in the programming of the vote tabulators
- 2) The Clerk shall not alter or make changes to the materials referred to above

All other election materials shall be maintained in accordance with the Municipality of Chatham-Kent Retention Schedule.

Notice of Results

Notice of Results

The Clerk shall make the unofficial results for each candidate by office, as applicable, available after 8:00 p.m. Election Day, at the Municipality Clerk's Office and the Clerk shall post the same **Unofficial Results** on the municipality's website.

As soon as possible after Voting Day, the Clerk shall declare the **Official Results** using "Declaration of Election Candidate", Form EL32, and post the results at the Municipal Office and on the municipal website.

Recount

Recount Procedures (Sections 56-58)

A recount is to be conducted in the same manner as the original count, whether manually or by vote counting equipment, under **Sec. 60(1)** unless ordered otherwise by a judge under **Sec. 60(3)**.

A recount is required:

- When there is a tie vote where both or all candidates cannot be declared elected (Automatic)
- When the votes for the affirmative and negative on a by-law are equal (Automatic)
- When the votes for two or more answers to a question are equal (Automatic)
- By resolution of Council (for Council offices or questions, or by-laws submitted by Council)
- By resolution of local board (for offices on a local board or questions or by-laws submitted by a local board)
- By order of the Minister (for questions submitted by the Minister)
- By order of the Superior Court of Justice

Costs of Recount (Section 7(3), 7(4))

As soon as the Clerk has signed a certificate verifying the amount, the municipality is to pay the costs incurred by the Clerk for a recount. The municipality will be reimbursed for its reasonable costs in the following situations:

- A regular election when the recount is for:
 - a) an office on a local board or an upper tier municipality
 - b) a by-law or question submitted by an upper-tier municipality; or
 - c) a question submitted by a local board or by the Minister
- A by-election for a local board or for an upper tier municipality; or for the Minister, or a recount in such a by-election

Any expenses incurred by a candidate will be the responsibility of the candidate, e.g., legal counsel in attendance on behalf of the candidate.

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

Who Conducts Recount (Section 56)

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 (Section 56)

The Clerk must conduct a recount within 15 days after the declaration of the results of the election required by Section 55(4)(a) b) of the election when there is a tie vote for the election of a candidate for an office, or when there is a tie vote on a by-law or question.

Council, Local/School Board or Minister Request for Recount (Section 57)

Within 30 days after the Clerk's declaration of the results under subsection 55(4), a Council,

local/school board may pass a resolution, or the Minister may make an order requiring a recount.

The recount must be conducted within 15 days **after the resolution is passed or the order** is issued. An order of the Minister must be made within the same period. The incoming council or local board is no longer able to make a decision on a recount.

Application to Superior Court of Justice (Section 58)

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.

In accordance with subsection 55(4), the application must be filed within 30 days following 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 must be conducted within 15 days after the Clerk receives a copy of the order.

Votes for Candidates to be Included in a Recount (Sections 56, 59)

The paper votes to be included in the recount are as follows:

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

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

Persons Entitled to be Present at Recount (Section 61)

- The Clerk and any other election official appointed to assist with the recount
- Every certified candidate for the office involved
- The applicant, if any, who applied for the recount
- Legal counsel for any of the above
- Each certified candidate for the office involved or an applicant may appoint a scrutineer for the recount, or each recount station established by the Clerk
- Where the recount applies to a by-law or question, such scrutineers as appointed by Council, a local/school board or the Minister

- Where scrutineers are appointed under Sections 61(3) or (4), an equal number must be appointed for each possible response to the by-law or question
- Any other person may be present with the Clerk's permission

Notification of Recount Date, Time, Place (Sections 56-58 and O. Reg. 101/97)

The Clerk shall give notice of the recount date, time and place on "Notice of Recount", Form EL39, 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
- In the case of a recount concerning an office, by-law or question in respect of which electors of another municipality are entitled to vote, the Clerk who was responsible for the conduct of the vote in the other municipality
- Notice of recount will be given by registered mail or personal service

The Clerk may conduct the recount by adding the votes from the statements of results prepared by the Deputy Returning Officers under subsection 55(1) of the *Act*, rather than by following *O. Reg. 101/97 (s4. – 2. and 3.)*, if a recount under those rules is waived by:

- Each certified candidate subject to the recount under section 56, 57, 58 or 59 of the *Act* who is present, in the case of a recount in an election for office
- The Council that submitted the by-law, in the case of a recount in an election to obtain the assent of the electors to a by-law
- The Minister, Council or local board that submitted the question, in the case of a recount in an election to obtain the opinion of the electors on a question; and
- The applicant, if he or she is present, in the case of a recount ordered under **Section 58 of the Act**

Process at Recount (Sections 61, 62)

Once the recount process has commenced, it must continue to completion.

The Clerk is to conduct the recount in accordance with the recount procedure as follows:

The Clerk shall open the ballot boxes and count:

- In the case of a recount in an election for an office, the number of votes for each candidate who is subject to the recount under section 56, 57, 58 or 59 of the **Act**
- In the case of a recount in an election to obtain the assent of the electors to a by-law, the number of votes in favour of the by-law and the number opposed, and
- In the case of a recount in an election to obtain the opinion of the electors on a question, the number of votes for each possible answer to the question. At the time set for the recount, the Clerk should outline the procedures as follows:

- The ballot boxes will be distributed to the counting stations as they are required throughout the count
- The rules prescribed by the Minister or established by the Clerk are to be followed and should be explained to everyone present for the recount
- Disputed ballots will be shown to the Clerk who, after any representation by a candidate, their legal counsel or scrutineer, will determine if the ballot and the votes are to be counted

Upon completion of the recount, the Clerk will announce the results. If any ballots have been disputed, the Clerk will:

- Announce the number of them
- Announce the results if the disputed ballots were excluded
- Mark the number of the voting place (subdivision number) on the back of each disputed ballot and initial it; and
- Place the disputed ballots in a separate envelope clearly marked as to its contents and seal the envelope

Persons authorized to attend at the recount may also be at the announcement of the results of the recount.

Continuing Tie Vote – After Recount Procedures (Section 62(3) and 63(10))

Pursuant to Section 62(3) in a case of a tied vote following the recount, the Clerk shall determine the result by lot as follows:

The Clerk shall write the name of each candidate on equal-sized pieces of paper. They are then put in a “hat”. 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 hat.” The paper is pulled from the hat and the candidate elected is announced.

The results of the recount will be posted in the Municipal Office and on the web site by noon, the day following the recount being completed. The Clerk will notify everyone notified of the recount, of the results of the recount in writing.

Notice of Final Certified Results – Section 62(4)

In the event of a judicial recount, the Clerk of the Municipality shall announce the results on the 16th day following the completion of the recount; announce the results of the election or vote for a by-law or question by posting at Municipality Hall and on the web site the "Declaration of Recount Results", Form EL41.

Everyone who has been informed of the recount shall receive a copy of such a declaration.

Candidates Financial Disclosure

Candidates Financial Disclosure

At least 30 days before the filing date, but no later than Monday March 1, 2027, the Clerk shall give every candidate whose nomination was filed, **by registered mail**, notice

- Of all the filing requirements of this section; and
- Of the penalties set out in subsections 80 (2) and 92 (5)

The notice shall be given on “Notice to Candidate of Filing Requirements”, Form EL42.

A “Notice of Default”, Form EL43, shall be given to the candidate by registered mail and to the relevant Council or Local Board in the event that a candidate has not submitted the “Financial Statement”, Form 4, by 2:00 pm on March 30, 2027 (set by the Minister).

For questions regarding campaign finances, the Clerk should direct the candidate to Sections 66 (1) – 82.1 (2).

Extension of Campaign Period (Section 80 (4), (5), (6))

For further information, refer to the *Municipal Elections Act, 1996*.

Refund of Nomination Filing Fee (Section 34)

A candidate is entitled to receive a refund of the nomination filing fee if they,

- Withdraw the nomination under Section 36 of the *Municipal Elections Act*
- Is elected to the office; or
- The documents required under subsection 88.25 (1) are filed on or before 2 p.m. on the filing date in accordance with that subsection. 2016, c. 15, s. 26

Compliance Audit Procedure - Compliance Audit

A compliance audit is an audit of a candidate’s election campaign finances and their compliance with the provisions of the *Municipal Elections Act, 1996*.

Compliance Audit Committee

The *Municipal Elections Act, 1996* as amended requires that every municipality form an Election Compliance Audit Committee on or before October 1, 2026 of an election year for the purposes of section 81.

The Election Compliance Audit Committee has (at least) three members who are not employees or officers of the municipality or local board, members of the council or local board, or any persons who are candidates in the election for which the committee is established. The

committee has the same term of office as the council.

The powers and functions of the Committee are set out as follows:

- Consider compliance audit applications received and decide whether each application should be granted or rejected
- Upon rejection of the application, the committee will inform the applicant of the reasoning in writing
- Upon acceptance of the application, the committee will appoint an auditor to conduct a compliance audit of the candidate's election campaign finances.
- Receive the auditor's report
- Consider the auditor's report and decide whether legal proceedings should begin or make a finding whether there were reasonable grounds for the application
- Recommend to Council whether or not to pursue the recovery of the costs of conducting the compliance audit from the applicant if the auditor's report indicates there were no apparent contraventions and if it appears there was no reasonable ground for application

Elector Concerns

- 1) Contact the Municipal Clerk's office and see if they are able to provide further information that answers your questions or concern
- 2) If you believe that a candidate's election campaign finances contravened the Municipal Elections Act, submit an application to the Municipal Clerk for a compliance audit. See **How Do I Apply for a Compliance Audit?** Below.

Steps to Apply for a Compliance Audit

- 1) Pick up an application from the Clerk's Office at the Civic Centre, 315 King Street West, Chatham or submit a written application for a compliance audit to the Municipal Clerk within 90 days of the candidate's filing date. All candidate financial information posting will be on the municipality's election website upon filing: <http://www.ckelection.com>.
- 2) Your application must include:
 - Notice that you are eligible to vote as an elector in the municipality
 - Your name and contact information, including mailing address, telephone number and email address (if applicable)
 - Name of the candidate whose election finances you are requesting a compliance audit for and the office they were running for in the election
 - The reasons that you believe indicate that the candidate has contravened the provisions of the *Municipal Elections Act, 1996* relating to municipal election campaign finances
 - Any other relevant information
 - The date you submit the application to the Municipal Clerk
 - Your signature

- 3) Mail or deliver your request for a compliance audit in a sealed envelope marked “**Private and Confidential**” to:

Attn: Municipal Clerk
Municipal Governance
Municipality of Chatham-Kent
315 King Street West
Chatham, ON N7M 5K8

Received Applications

In accordance with section 88.33 (3) of the Municipal Elections Act, 1996, the Municipal Clerk must receive all applications within 90 days after the latest of

- The filing date under section 88.30
- The candidate’s supplementary filing date, if any, under section 88.30
- The filing date for the final financial statement under section 88.30 or
- The date on which the candidate’s extension, if any, under section 88.23(6) expires

The Municipality Clerk will forward applications that are complete to the Election Compliance Audit Committee for consideration.

Election Records

Election Records – Candidates

Use of online, electronic and paper versions of the Voters’ List, Interim List of Changes to the Voters’ List, Voter Participation Status reports and all other information containing personal voter information shall be protected by the Candidate and shall not be used for any purpose other than the 2026 Municipal Election. The Candidate shall destroy all Voter information obtained by the Candidate during the 2026 Municipal Election after the election, either by returning same to the Clerk for destruction with other election material or by deleting it completely from Candidate computer hardware. If the Candidates with others (campaign workers) share records, an oath administered by the Candidate, similar to the one taken by the Candidate shall be administered and all shared records shall be protected and destroyed.

Clerk - Disposition of Records (Section 88)

Subject to a Judge’s order or recount proceedings, after 120 days from declaring the results under Sec. 55, the Clerk shall destroy the ballots in the presence of two witnesses. The Clerk may also destroy any other documents and materials related to the election except those specified in 88 (4) (the financial statements filed by candidates).

The witnesses shall complete the “Witness Statements as to Destruction of Ballots”, Form EL38. The ballots and any other documents shall not be destroyed if:

- A court orders that they be retained; and
- A recount process has begun and there has not yet been a conclusion

Retention of Records

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.

Accessibility

Accessibility - Electors and Candidates with Disabilities

The Clerk shall make every effort to accommodate the needs of electors and candidates with disabilities (see Voting Procedures manual).

Variations for Electors with Visual Impairments

The Clerk shall make such changes to some or all of the ballots, as he/she considers necessary or desirable to allow electors with visual impairments to vote without the assistance referred to paragraph 4 of subsection 52(1): *"The DRO may permit an elector who needs assistance in voting to have such assistance as the DRO considers necessary"*.

Location – Accessibility

The Clerk shall ensure that each Voting Place is accessible to electors with disabilities.

Report

Within 90 days after Voting Day in a regular election but no later than Monday, January 25, 2027, the Clerk shall submit a report to Council about the identification, removal and prevention of barriers that effect electors and candidates with disabilities.

Emergencies

Emergencies (Section 53)

The Clerk may declare an emergency if they are of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with this Act.

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

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

The Clerk's declaration of an emergency and their arrangements shall not be reviewed or

overturned for reasons of unreasonableness or supposed unreasonableness if made in good faith. If required, the Clerk may consider alternate options for the following:

- Reporting results
- Notification of electors
- Election Officials
- Voting period (delay of Voting Day, extension of voting hours or day(s))
- Alternate voting place or alternate facility

When any part of a vote for an office is not complete, the **results of that vote will not be released until the voting has been complete.**

In the event of an emergency, third party vendors will take direction from the Clerk as to what actions will be taken.

Corrupt Practices

Offences, Penalties and Enforcement (Section 89 and 90)

The principles and the integrity of the election process are enforceable.

Section 89 of the *Municipal Elections Act* provides for penalties and enforcement of corrupt practices and other offences during an election process. These include a person who:

- a) Votes without being entitled to do so
- b) Votes more times than this *Act* allows
- c) Votes in a voting place in which he or she is not entitled to vote
- d) Induces or procures a person to vote when that person is not entitled to do so
- e) Having appointed a voting proxy that remains in force, votes otherwise than by the proxy
- f) Having been appointed a voting proxy, votes under the authority of the proxy when the elector has cancelled the proxy, is no longer entitled to vote or has died
- g) Before or during an election, publishes a false statement of a candidate's withdrawal
- h) Furnishes false or misleading information to a person whom this *Act* authorizes to obtain information
- i) Without authority, supplies a ballot to anyone
- j) Presents the deputy returning officer with a voting paper other than the ballot the deputy returning officer gave him or her
- k) Takes a ballot away from the voting place
- l) At an election, takes, opens or otherwise deals with a ballot, ballot box, or a book or package of ballots without having authority to do so
- m) Attempts to do something described in clauses (a) to (l)

No person(s) shall solicit a Voter Identification Number Card / Voter Kit / Ballot, from an eligible elector. In addition, under the provisions of Section 90(1) of the *Municipal Elections Act*, if a

person is convicted of an offence and it was committed knowingly, the offence also constitutes a corrupt practice.

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

As such, the Clerk has agreed that all complaints about actions which may contravene the provisions of the *Municipal Elections Act*, either verbally or written, will be reviewed by the Clerk and, if viewed by the Clerk to be valid and not frivolous, will be reported to the Police.

Penalties

In accordance with Section 94.1(1), an individual found guilty of an offence may face penalties that may include fines of up to \$25,000 and/or imprisonment for up to six months.

Trade unions and corporations are subject to a maximum of \$50,000 if convicted.

Mail Tampering – Criminal Offence and Prosecution

Electors will receive a Voter Identification Number Card, which provides comprehensive information about the voting process and how to vote. Electors receive this via first class mail.

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

The Following Forms Are Available Upon Request

Form #	Description
EL07	List of Certified Candidates
EL11	Appointment and Oath of an Election Official
EL12A	Appointment of Scrutineer by Candidate
EL12B	Oral Oath of Secrecy
EL 13	Appointment of Scrutineer
EL14	Candidate's Declaration - Proper Use of Voters' List
EL15	Application to Amend Voters' List
EL16	Application for Removal of Another's Name from the Voters' List
EL17A	Notice of Nomination for Office
EL17B	Notice of Additional Nominations
EL19	Withdrawal of Nomination
EL20	Declaration of Acclamation to Office
EL22	Certificate of the Voters' List
EL25	Certificate and Receipt for Ballots
EL26	Oath of Qualification
EL27	Oral Oath of Friend or Interpreter
EL29A	Voting Instructions (Manual Count Ballot)
EL29B	Voting Instructions (Optical Scan)
EL32	Declaration of Election Candidate
EL34	Statutory Provisions Regulating Voting Procedures
EL35	Notice of Offence Notice of Corrupt Practice

EL37	Certificate of Maximum Campaign Expenses
EL38	Witness Statement as to Destruction of Ballots
EL39	Notice of Recount
EL41	Declaration of Recount Results
EL42	Notice to Candidate of Filing Requirements
EL43	Notice of Default
EL50	Appointment of Voting Proxy