

# ADDENDUM



## MEETING OF COUNCIL APRIL 5<sup>th</sup>, 2022

### ➤ E) NEW BUSINESS / AFFAIRES NOUVELLES

- E-7 Award for granular resurfacing on certain municipal roads
- E-8 Award for asphalt sheeting projects (60 mm and 90 mm thickness)
- E-9 By-Law **2022/36** to establish policies and procedures for 2022 Municipal Elections
- E-10 Award for the purchase of a new ice resurfacer machine (Zamboni)



Project	Granular Resurfacing Projects 2022							
Closing Information	2022-04-04 1:00 PM							
Opened By	Melanie Ducharme and Elizabeth Henning							
Name	Date Received	Champange	Coyote Ridge	Crosby	Delorme	Pine Poultry	Roberge	Smylie
Labelle Bros Excavating	April 4, 2022	\$29,230.50	No Bid	No Bid	\$37,213.40	No Bid	\$77,733.86	\$16,927.90
Ed Seguin & Sons	April 4, 2022	\$34,866.00	\$26,350.56	\$14,850.36	\$44,900.80	\$207,483.72	\$77,686.72	\$20,424.80



The Corporation of the Municipality of West Nipissing  
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

**2022 /**

**APRIL 5, 2022**

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

**BE IT RESOLVED THAT** the quotations for the 2022 Granular Resurfacing Projects for the Municipality of West Nipissing be awarded as follows:

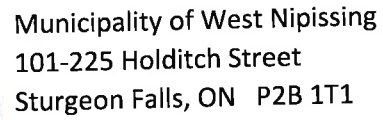
<b>AWARDED TO</b>	<b>ROAD</b>	<b>TOTAL COST PER ROAD (plus H.S.T.)</b>
Labelle Bros Excavating	Champagne Road	\$29,230.50
Ed Séguin & Sons	Coyote Ridge Road	\$26,350.56
Ed Séguin & Sons	Crosby Road	\$14,850.36
Labelle Bros Excavating	Delorme Road	\$37,213.40
Ed Séguin & Sons	Pine Poultry Road	\$207,483.72
Ed Séguin & Sons	Roberge Road	\$77,686.72
Labelle Bros Excavating	Smylie Road	\$16,927.90

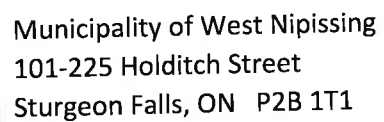
	<b>YEAS</b>	<b>NAYS</b>
<b>DUHAIME, Yvon</b>		
<b>FISHER, Christopher</b>		
<b>LARABIE, Roland</b>		
<b>MALETTE, Léo</b>		
<b>ROVEDA, Dan</b>		
<b>WARD 7 (vacant)</b>		
<b>SÉNÉCAL, Denis</b>		
<b>SÉNÉCAL, Lise</b>		
<b>SAVAGE, Joanne (MAYOR)</b>		

**CARRIED:** \_\_\_\_\_

**DEFEATED:** \_\_\_\_\_

**DEFERRED OR TABLED:** \_\_\_\_\_

[illegible]

[illegible]



The Corporation of the Municipality of West Nipissing /  
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

**2022 /**

**APRIL 5, 2022**

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

**BE IT RESOLVED THAT** the quotations for the 2022 Asphalt Sheeting Projects be awarded as follows:

- (1) 60 mm thickness to **PIONEER CONSTRUCTION** for \$231,269.52 (plus H.S.T.); and
- (2) 90 mm thickness to **MILLER PAVING** for \$135,481.60 (plus H.S.T.)

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
Ward 7 (vacant)		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: \_\_\_\_\_

DEFEATED: \_\_\_\_\_

DEFERRED OR TABLED: \_\_\_\_\_

# MEMORANDUM

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**TO:** Mayor and Council

**FROM:** Melanie Ducharme, Municipal Clerk/Planner

**DATE:** April 05, 2022

**RE:** **MUNICIPAL ELECTION 2022 – POLICIES AND PROCEDURES, MEA. S.12(1) & 43(3)**

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The *Municipal Elections Act, 1996, as amended*, (the “Act”) requires the Municipal Clerk, as Returning Officer, to establish procedures and forms and grants the Clerk authority to provide for any matter or procedure that is not otherwise provided for in the Act, and in the Clerk’s opinion, is necessary or desirable for conducting the election (Section 12(1)).

The attached document updates By-Law 2018/27 with regard to the amendments to the Act which have taken place.

Once adopted by Council, the Policies and Procedures will be posted on the West Nipissing Website along with the required forms, for the 2018 Municipal Election.

Thank you,

**Joie de vivre**



[www.westnipissingouest.ca](http://www.westnipissingouest.ca)



The Corporation of the Municipality of West Nipissing  
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

**2022 /**

**APRIL 5, 2022**

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

**BE IT RESOLVED THAT** By-law **2022/36**, being a by-law to establish the policies and procedures for conducting the 2022 municipal elections in the Municipality of West Nipissing, shall come into force and take effect on the date it is passed.

	YEAS	NAYS
<b>DUHAIME, Yvon</b>		
<b>FISHER, Christopher</b>		
<b>LARABIE, Roland</b>		
<b>MALETTE, Léo</b>		
<b>ROVEDA, Dan</b>		
<b>WARD 7 (vacant)</b>		
<b>SÉNÉCAL, Denis</b>		
<b>SÉNÉCAL, Lise</b>		
<b>SAVAGE, Joanne (MAYOR)</b>		

**CARRIED:** \_\_\_\_\_

**DEFEATED:** \_\_\_\_\_

**DEFERRED OR TABLED:** \_\_\_\_\_





**THE CORPORATION OF THE  
MUNICIPALITY OF WEST NIPISSING**

**POLICIES AND PROCEDURES**

**2022 MUNICIPAL ELECTION**

**VOTE-BY-MAIL AND  
CENTRALIZED SCANNER / TABULATORS**

**BY-LAW 2022/36**

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Powers of the Clerk – s. 12 (1) *Municipal Elections Act, 1996*

- 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.

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**DECLARATION**

In accordance with Sections 12(1) and 42(3) of the *Municipal Elections Act, 1996, as amended*, I hereby certify that the attached policies and procedures shall be followed in conducting the 2022 Municipal Elections in the Municipality of West Nipissing.

**DATED** at the Municipality of West Nipissing, in the District of Nipissing this 5th day of April, 2022.

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Melanie Ducharme,  
Municipal Clerk / Returning Officer  
Corporation of the Municipality of West Nipissing

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**OVERVIEW**

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In accordance with the *Municipal Elections Act (MEA)*, the Clerk is permitted to establish procedures for the upcoming elections for the Municipality of West Nipissing. The Clerk may, at any time up to and including Election Day, amend the procedures contained herein in order to address any matters that may arise.

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

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

If there are any questions or concerns regarding the policies and procedures, individuals are encouraged to address them with the Municipal Clerk. It is expected that Election Officials, Candidates, and all other stakeholders will work together to ensure that the integrity of the process is maintained.

For clarity, this procedures manual is to provide a guide to all affected parties involved in the Municipal Election. Nothing in this manual replaces or supersedes the *MEA*. All relative forms as required in the *MEA* can be obtained from the Clerk.

On January 18, 2022 the Council of the Corporation of the Municipality of West Nipissing enacted By-law Number **2022/05**, being a by-law to authorize the use of vote-by- mail as an alternative voting method and the use of optical scanning vote tabulators.

The following procedures detail the process to be followed as directed by the Clerk for the 2022 Municipal Election in the Municipality of West Nipissing. It is anticipated that these procedures will be amended specifically with respect to certain dates (e.g. mailing of ballots, receipt of ballots, etc.). Pursuant to Section 19 of these procedures, the Clerk has the authority to amend these procedures at any time and for any reason.

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**1. ELECTION PERSONNEL**

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- 1.1.** The Clerk may appoint, in writing, Deputy Returning Officers (DROs), Election Assistants and such other officials as required to assist in the administration, management, security and control of the election.
- 1.2.** Written appointments and delegation of duties to DRO's and Election Officials shall include the authority to require any person to furnish proof of identity or qualifications pursuant to the *Municipal Elections Act, 1996*, as amended.

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**2. NOTICES**

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- 2.1.** All advertisements and notices shall be published in the local paper (i.e. Tribune) that, in the opinion of the Clerk, is of sufficiently general circulation to notify the voters of the municipality as well as on the municipality's website: [www.westnipissingouest.ca](http://www.westnipissingouest.ca)
- 2.2.** Notice of Nomination is to be published and posted by Nomination Day. The Nomination period runs from **Monday, May 2, 2022** to **Friday, August 19, 2022 at 2:00 p.m.** as determined by the Clerk's clock.
- 2.3.** Notice of Revision of the Voters' List is to be published and posted before **September 1, 2022**. The revision period runs from **September 1, 2022** to the close of voting on **October 24, 2022 at 8:00 p.m.**
- 2.4.** The Clerk reserves the right to publish additional advertisements and notices, as deemed appropriate.

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**3. CANDIDATE INFORMATION AND NOMINATIONS**

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**Candidate Qualifications**

**3.1. Offices:**

**3.1.1. Council**

A candidate must be qualified on the day he or she files the nomination paper.

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

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

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

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

**3.1.2. School Board Trustee**

A School Board, a candidate must be qualified on the day he or she files the nomination paper.

To run for School Board Trustee the person must be:

- A Canadian citizen
- At least 18 years of age

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

Near North District School Board (English-Language Public District School Board):

Candidate must:

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

Nipissing-Parry Sound Catholic District School Board (English-Language Separate District School Board):

Candidate must be Roman Catholic who must:

- qualify as an Elector for the English-language separate district school board; or
- be a supporter (or be the spouse of a supporter) of the English-language separate district school board

Conseil scolaire public du Nord-Est de l'Ontario (French-Language Public District School Board):

Candidate must be a French-language rights holder (see ss. 23(1) and (2) of the Canadian Charter of Rights and Freedoms for criteria) who must:

- qualify as an Elector for the French-language public district school board; or
- be a supporter (or the spouse of a supporter) of the French-language public district school board.

Conseil scolaire catholique Franco-Nord (French-Language Separate District School Board):

A candidate must be Roman Catholic and a French-language rights holder (see the Charter for criteria) who must:

- qualify as an Elector for the French-language separate district school board; or
- be a supporter (or the spouse of a supporter) of the French-language separate district school board

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

3.1.3. Municipal Employees Running for Office

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

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

Candidate Nominations

3.2.

- 3.2.1. The onus is on the person nominated to file a bona fide nomination paper. Responsibility for the accuracy of the information provided on the nomination rests with the Candidate.
- 3.2.2. Once filed, nomination papers remain in the possession of the Clerk and may be open for inspection by any member of the public.
- 3.2.3. Nomination papers may be filed by making an appointment with the Municipal Clerk, or designate, from Monday, May 2, 2022 to Thursday, August 18, 2022 during Normal Business Hours, and between 9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022 (Nomination Day), for the following Offices:

MUNICIPAL COUNCIL	
Mayor	1 to be elected at-large
Councillor Ward 1	1 to be elected
Councillor Ward 2	1 to be elected

MUNICIPAL COUNCIL	
Councillor Ward 3	1 to be elected
Councillor Ward 4	1 to be elected
Councillor Ward 5	1 to be elected
Councillor Ward 6	1 to be elected
Councillor Ward 7	1 to be elected
Councillor Ward 8	1 to be elected

SCHOOL BOARDS TRUSTEES	
Trustee - Near North District School Board	4 to be elected
Trustee - Nipissing-Parry Sound Catholic District School Board	1 to be elected
Trustee - Conseil scolaire public du Nord-Est de l'Ontario	2 to be elected
Trustee - Conseil scolaire catholique Franco-Nord	3 to be elected

3.2.4. Filing Authority for Candidate Nominations

Nomination papers for the office of Mayor and Ward Councillors for the Corporation of the Municipality of West Nipissing must be filed with the Municipal Clerk.

Nomination papers pertaining to the Near North District School Board Trustee offices are filed with the West Nipissing Municipal Clerk

Nomination papers pertaining to the Nipissing-Parry Sound Catholic District School Board Trustee offices are filed with the City of North Bay Clerk

Nomination papers pertaining to the Conseil scolaire public du Nord-Est de l'Ontario Trustee offices are filed with the West Nipissing Municipal Clerk

Nomination papers pertaining to the Conseil scolaire catholique Franco-Nord Trustee offices are filed with the West Nipissing Municipal Clerk

**Documentation Required for Filing Nomination**

3.3. The nomination must be completed in full and filed in person by the candidate or an agent of the candidate and include:

- a) Identification suitable to the Clerk;
- b) Nomination Paper- Form 1;
- c) Endorsement signatures from 25 people who are eligible to vote in the municipality- Endorsement Signatures- Form 2; and
- d) Application filing fee.

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

**Filing by Agent**

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

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

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

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

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

**Acceptable Photo Identification**

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

- 1. An Ontario Driver's Licence

2. An Ontario Health Card (photo card)
3. An Ontario Photo Card
4. A Canadian Passport
5. Canadian Citizenship

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

### **Filing Fee and Accepted Methods of Payment**

- 3.6.** As stated in Section 33 (2.c), nominations shall be accompanied by the prescribed nomination filing fee. The fee to file a nomination is \$200 for head of council (office of Mayor), and \$100 for all other offices. This fee must be paid to the Clerk at the time you hand in your nomination form.

As stated in Section 33 (2.c), nominations shall be accompanied by the prescribed nomination filing fee. The fee to file a nomination is \$200 for head of council (office of Mayor), and \$100 for all other offices. This fee must be paid to the Clerk at the time you hand in your nomination form.

Nomination fees may be paid by cash, debit, certified cheque or money order. No other method of payment is permitted.

### **Procedure for Nomination Day- August 19, 2022**

- 3.7.** Candidates are required make an appointment to file their nomination paperwork.

During an appointment, the Municipal Clerk or Designate will thoroughly examine the documentation required for filing nomination (please refer to Documentation Required for Filing Nomination section of the Election Procedures for the 2022 Municipal Election).

In accordance with Section 33(4)(b) of the MEA, Nomination may be filed "on nomination day, between 9:00 a.m. and 2:00 p.m.

Pursuant to Section 33 (4.1) of the MEA, if a person is present at the clerk's office on nomination day at 2:00 p.m. and has not filed a nomination, he or she may file the nomination as soon as possible after 2:00 p.m. No persons entering the Municipal office after 2:00 p.m. on nomination day will be permitted to file a nomination.

### **Withdrawal of Nomination**

- 3.8.** If, after having filed a nomination form, a candidate wishes to file a nomination for a different office in the same election, the first nomination shall be deemed to have been withdrawn at the time the second nomination is filed. The filing fee is deemed to have been paid with the latest filing if the two nominations are for the same council/board.

A candidate, or agent for the candidate, may withdraw his or her nomination by completing a physical Withdrawal of Nomination form and filing it in person with the Clerk's Office before 2:00 p.m., August 19, 2022.

### **Candidate Names**

- 3.9.** The following rules shall apply regarding candidate's names:
- If the candidate wishes and the Clerk agrees, another name that the candidate also uses may be used instead of or in addition to his or her legal name (e.g. Bill instead of William).
  - No reference to a candidate's occupation, degree, title, honour or decoration shall appear on the ballot.
  - If the names of two or more candidates for an office are identical or in the Clerk's opinion so similar to cause possible confusion, each candidate's qualifying address shall appear under his or her name on the ballot.

### **Notice of Nominations Filed**

- 3.10.** A list of nomination papers filed (non-certified) will be amended and posted on the Municipality of West Nipissing website as soon as possible after filing.

### **Municipal Freedom of Information and Protection of Privacy Act**

- 3.11.** Upon filing, nomination papers become part of public record and shall be disclosed to members of the public upon request. Upon receiving nomination papers, Candidate information will be made available to the Public through the Municipality's website.

### **Certification of Candidate Nomination Papers**

- 3.12.** Under the MEA, the Clerk is required to reject or certify nominations of candidates. On or prior to 4:00 p.m. on August 22, 2022, the Clerk will examine each nomination filed and, if satisfied the person is qualified to be nominated and that the nomination complies with the MEA, the Clerk will certify the nomination paper

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

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

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

If not satisfied, the Clerk will reject the nomination and, as soon as possible, give notice to the person who sought to be nominated and to all other candidates for that office. The Clerk's decision to certify or reject a nomination is final.

Once the nomination is certified, the candidate's name will be placed on the ballot unless the name is removed by a Court Order.

#### **Acclamations**

- 3.13.** Candidates will be declared as acclaimed on August 22, 2022 after 4:00 p.m., if the number of certified candidates for an office is the same or less than the number to be elected

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## **4. CAMPAIGN FINANCES**

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As stated in Section 33, the Clerk shall provide information pertaining to financial guidelines upon a filing of a person's nomination

#### **Candidates' Campaign Expense Limit**

- 4.1.** In accordance with Section 88.20 of the MEA, the Clerk will determine the maximum campaign expense limits a candidate may spend on his or her campaign using the prescribed formula:

On or before September 26, 2022, the Clerk will calculate the amount for the Final Certificate of Maximum Campaign Expenses using the number of eligible electors on the Voters' List for the 2022 Municipal Election. The Certificate will be provided to each Candidate, via email.

#### **Election Finances**

- 4.2.** Information regarding election finances and campaign contributions, including financial responsibilities of candidates, campaign contributions/fundraising, campaign expenses and financial reporting is available in the Ministry of Municipal Affairs' 2022 Candidates' Guide for Ontario Municipal and School Board Elections. This and other documentation can be found on the Ministry of Municipal Affairs and Housing website: [www.mah.gov.on.ca](http://www.mah.gov.on.ca)

The below information is provided for convenience:

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



All candidates are required to file a financial statement using the prescribed form. Electronic submissions will not be accepted. The received financial statements will be publicly disclosed through the municipal website. For more information regarding financial statements, see section, Post-Election.

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**5. THIRD PARTY ADVERTISERS**

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**Third Party Advertisers**

- 5.1.** Individuals, corporations and unions can register as third party advertisers and can also make contributions to Third Party Advertisers. Third Party Advertisers are required to register with every municipality where they wish to advertise in.

Third Party Advertisers may register with the municipality starting on Monday, May 2, 2022 during office hours using the prescribed form. Third Party Advertiser registrations will not be accepted after the deadline. Registration allows a Third Party Advertiser to promote or oppose any candidate that the electors in the municipality can vote for (Local Council and School Board Trustee positions).

Third Party advertising must be done independently of candidates, who are not able to direct a third party advertiser. Candidates are not able to register as Third Party Advertisers.

Financial statements of the Third Party Advertisers are required to be submitted to the Clerk of each municipality registered in by March 31, 2023. There is a 30-day grace period for Third Party Advertisers who miss the deadline to file a financial statement and auditor’s report, provided that the Third Party Advertiser pays a \$500 late filing fee to the municipality. For more information regarding financial statements, refer to section titled Post-Election.

**Restricted Period**

- 5.2.** The restricted period for third party advertisements in relation to an election in a municipality begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration (May 1, 2018) as a registered Third Party Advertiser in relation to the election and ends at the close of voting on voting day.

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**6. CAMPAIGNING**

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

- 6.1.** The MEA provides that while an Elector is in a Voting Location, no one shall attempt, directly or indirectly, to influence how the Elector votes and that no one shall display a candidate’s campaign material or literature in a Voting Location. No campaign material, literature or advertising of any nature whatsoever of any candidate in the Election shall be displayed at, or within any municipal facility including parking areas

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

**Use of Municipal Resources**

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

For more information, please refer to the Municipality’s Use of Corporate Resources Policy.

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**7. FORMS**

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**Prescribed Forms**

- 7.1.** The following list includes all prescribed forms used in the conduct of the 2022 Municipal Election. (*Regulation 101/97, as amended*)

FORM #	TITLE	DESCRIPTION
FORM 1	Nomination Form	Filed by all candidates seeking office. <i>(included in Candidate's Information Package and available on the Municipality's Municipal Website.)</i>
FORM 2	Ballot	Composite Ballot to be provided to every eligible voter as included on the Voters' List. There shall appear on the ballot to the right of each candidate's name a space suitable for the marking of the ballot.
FORM 4	Financial Statement – Auditor's Report	All candidates must file Form 4. Candidates who receive contributions or incur expenses in excess of \$10,000 must also attach an Auditor's Report. All surplus funds shall be paid to the Municipal Clerk. <i>(included in Candidate's Information Package and available on the Municipality's Municipal Website.)</i>
FORM 5	Financial Statement – Subsequent Expenses	To be filed if a candidate has incurred costs related to a recount, compliance audit, or supplementary filing period has passed and who has applied for the return of their surplus funds to defray those costs.
FORM 6	Notice of Extension of Campaign Period	To be completed and filed by candidates or registrants requesting an extension of the campaign period due to a deficit.
FORM 9	Declaration of Identity	To be completed by persons who do not present the prescribed proof of identity and residence. This form must be completed at the voting place.

**Other Election Forms**

7.2. In addition to the aforementioned prescribed forms, the forms listed below may be used in the conduct of the 2022 Municipal Elections:

Application for Removal of Another's Name from the Voters' List	EL16
Application to Amend Voter's List	EL15
Appointment and Oath of a DRO	EL10
Appointment and Oath of an Election Official	EL11
Appointment of a Scrutineer by Candidate	EL12A
Certificate of Election Results - Municipal Council & English Public School Trustee	EL08
Certificate of Election Results - English Separate School Electors	EL08A
Certificate of Election Results - French Separate School Electors	EL08B
Certificate of Election Results - French Public School Electors	EL08C
Certificate of Election Results - Regional Chair	EL08D
Certificate of Maximum Campaign Expenses	EL37
Certificate of the Voters' List	EL22
Declaration of Acclamation to Office	EL20
Declaration of Qualifications – Council	EL18A
Declaration of Qualifications – School Trustee	EL18B
Declaration of Election Candidates – Election Results	EL32
Declaration of Recount Results	EL41
Disclaimer to Right to Office	EL36
Freedom of Information Release	LC02
List of Certified Candidates – Municipal Offices	EL07A
List of Certified Candidates – School Trustee: English Public School Electors	EL07B
List of Persons Issued Vote-by-Mail Kits at the Municipal Office	
Notice of Death or Ineligibility of Candidate	EL21
Notice of Default	EL43
Notice of Nomination for Office	EL17
Notice of Recount	EL39
Notice to Candidate of Filing Requirements	EL42
Oral Oath of Friend or Interpreter	EL27
Oral Oath of Secrecy	EL12B
Recount Results	EL40
Scan Batch Control Sheet	
Statement by Qualified Elector or Agent to Obtain a Voter Kit From the Clerk	
Statement of Election Results - Optical Scan	EL31B
Voter's List Request Form	EL14
Withdrawal of Nomination	EL19

Witness Statements as to Destruction of Ballots	EL38
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- 7.3. The Clerk reserves the right to use additional forms or amend the above noted forms as may be necessary for the conduct of the election.

8. FORM OF BALLOT

- 8.1. The form of ballot will be a “Composite Ballot”.
- 8.2. Only the names of certified candidates shall appear on the ballot.
- 8.3. The candidates’ names shall appear on the ballot, in the format of first name then last name (e.g. John Doe), in alphabetical order, based on their surnames and in the case of identical surnames, their forenames. Middle initials shall not be used on the ballot unless it is deemed necessary by the Clerk.
- 8.4. If the candidate wishes and the Clerk agrees, another name that the candidate also uses may appear on the ballot instead of or in addition to his or her legal name (e.g. Bill instead of William).
- 8.5. No reference to a candidate’s occupation, degree, title, honour or decoration shall appear on the ballot.
- 8.6. if the surnames of two or more candidates for an office are identical or in the Clerk’s opinion so similar to cause possible confusion, every candidate’s qualifying address shall appear under his or her name.
- 8.7. A space for marking the ballot shall appear to the right of each candidate’s name.

9. VOTERS’ LIST

- 9.1. The Municipal Property Assessment Corporation (MPAC) is responsible for supplying the Municipality of West Nipissing with the Preliminary List of Electors Voters’ List (PLE) for the municipal election. (MEA S.19(1))
- 9.2. The Voters' List will be maintained electronically, to reflect deletions, amendments and additions made by the Clerk or designate. Voter participation in the election will also be indicated as the Vote-by-Mail Kits are returned, and bar codes on the Voter Declaration Forms are scanned at the Ballot Return Station.
- 9.3. On or before **September 1, 2022**, the Clerk shall have the Voters’ List reproduced. Electors may contact or attend the Municipal Office, 225 Holditch Street, Sturgeon Falls, to confirm whether they are on the Voters’ List and entitled to vote in the **October 24, 2022** Municipal Election in the Municipality of West Nipissing, during regular office hours (8:30 a.m. to 4:30 p.m.) commencing **Thursday, September 1, 2022**. (MEA S.23(2)a))
- 9.4. If an individual is qualified to vote and their name has been omitted from the Voters’ List, or the information is incorrectly shown, that person must file an ‘Application to Amend the Voters’ List (EL15). This Application must be filed with the Clerk, or designated Election Official, at the Municipal Office, 225 Holditch Street, Sturgeon Falls, during the period commencing **Thursday, September 1, 2022** and running through to **Friday, October 21, 2022**, during regular business hours Monday through Friday 8:30 a.m. to 4:30 p.m. and on **Monday, October 24, 2022** (Voting Day) from 8:30 a.m. until the close of voting at 8:00 p.m. (MEA S.24). Applications for amendments to the Voters’ List may be filed by emailing a completed EL15 form to [elections@westnipissing.ca](mailto:elections@westnipissing.ca) prior to **September 17, 2022** in accordance with section 6.6.
- 9.5. Electors added to the Voters' List on or before **September 12, 2022** will receive their Vote-by-Mail Kit in the mail.
- 9.6. Electors added to the Voters' List after **September 12, 2022** through and until the close of voting on **October 24, 2022** must attend at the Municipal Office to be provided with a Vote-by-Mail Kit at the time of filing their ‘Application to Amend the Voters’ List form ( EL15).

These electors will have the option of:

- 1) immediately completing the voter declaration form and ballot at the Municipality of West Nipissing Municipal Office in a designated ‘secure area’ and depositing the completed

ballot envelope into a Ballot Return Box under the supervision of the Clerk or designated Election Official;

- OR -

- 2) sending the completed Vote-by-Mail Kit in the yellow business reply envelope by regular mail on or before **October 13, 2022**;

- OR -

- 3) hand-delivering the completed Vote-by-Mail Kit in the yellow business reply envelope) to the Ballot Return Station at a later time, prior to 8:00 p.m. on Voting Day, **October 24, 2022**.

9.7. The Voters’ List containing deletions, amendments and additions, as well as a record of those persons who have participated to date and those persons who have been issued Vote-by-Mail Kits by the municipality will be maintained on the ‘List of Persons Issued Vote-by-Mail Kits’ at the Municipal Office.

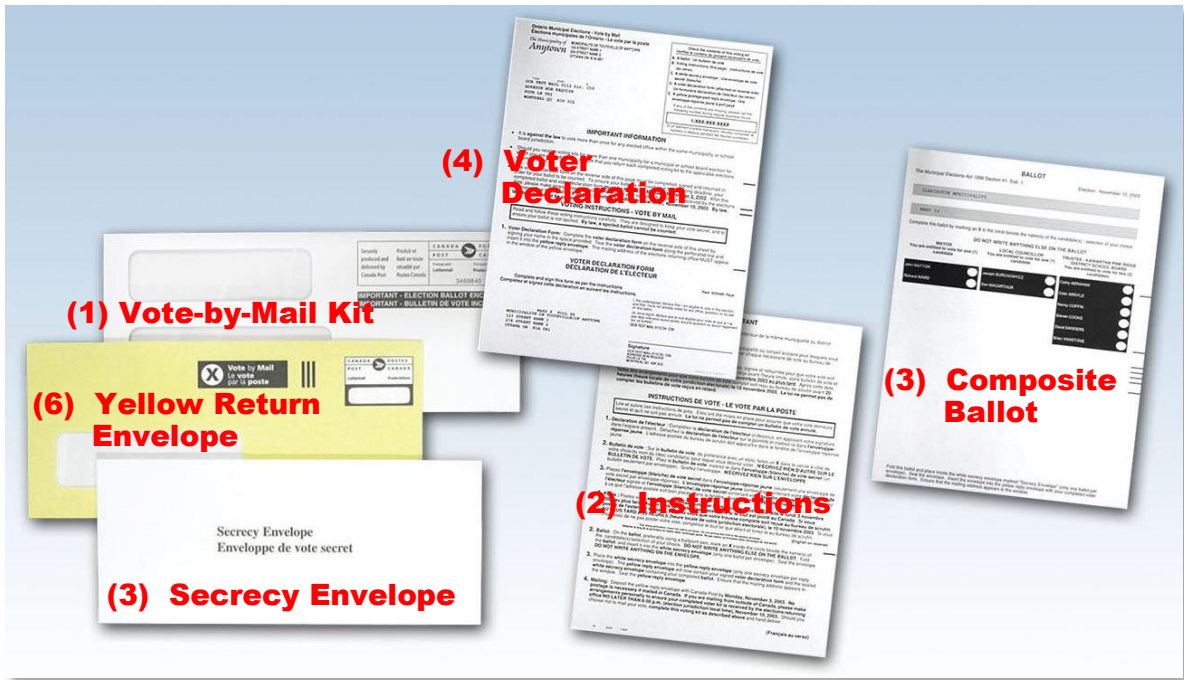
10. PROXY VOTING

10.1. As the Municipality of West Nipissing is conducting the 2022 Municipal Election using a Vote-by-Mail process, in accordance with section 42(5) of the *Municipal Elections Act, 1996, as amended* and authorized by By-law Number 2022/05, there is no requirement for and no opportunity to vote by proxy.

11. VOTE BY MAIL PROCEDURE

11.1. The Municipality, in conjunction with DataFix, will provide a Vote-by-Mail Kit to every person who qualifies to be an elector until the close of voting on **October 24, 2022, at 8:00 p.m.**





11.2. The Vote-by-Mail Kit (1) shall consist of:

(1)	Vote by Mail Kit	• contains all required election documentation
(2)	Voting Instruction Sheet	• provides direction on how to complete and return ballot
(3)	One Composite Ballot	• elector to clearly make their candidate selection(s) in each category; being Mayor, Councillor and School Board Representative
(4)	One Voter Declaration Form	• each elector must detach declaration, sign and return
(5)	One Ballot Secrecy Envelope (white)	• insert <b>only</b> the completed ballot and seal envelope
(6)	Yellow Return Voting Envelope	• prepaid postage ( <i>within Canada</i> ) • the signed declaration along with the sealed secrecy envelope, containing ballot, are to be inserted and returned
(7)	Such other material	• that the Clerk or designated Election Official determines necessary

- 11.3. The Voters’ List changes will be finalized with DataFix on **September 12, 2022** in preparation for the mail-out of Voting Kits.
- 11.4. The Clerk or designated Election Official, on or by **September 26, 2022**, shall mail to every elector, who had qualified to be on the Voters’ List by **September 12, 2022**, a Vote-by-Mail Kit. The Vote-by-Mail Kit shall be mailed to the elector’s address as shown on the Voters’ List.
- 11.5. Electors added to the Voters’ List between **September 12, 2022** and **October 24, 2022 at 8:00 p.m.** will be provided a Vote-by-Mail Kit at the time they are added to the List.
- 11.6. If a qualified elector does not receive their Vote-by-Mail Kit or if the Vote-by-Mail Kit is lost or destroyed, or if the elector marks the ballot incorrectly, a new Vote-by-Mail Kit may be issued by attending the Municipality of West Nipissing Municipal Office, 225 Holditch Street, Sturgeon Falls, on or after **October 3, 2022**. The Clerk or designated Election Official will confirm that the elector is qualified and require the elector or agent to complete the ‘Statement by Qualified Elector or Agent to Obtain a Voter Kit and a new Vote-by-Mail Kit will be issued. The ‘Statement by Qualified Elector or Agent to Obtain a Voter Kit’ form shall be retained for the prescribed statutory retention period.
- 11.7. If a qualified elector requires a new ballot because the original ballot they received was marked incorrectly (in their exclusive judgement) or ruined and the elector attends with the subject ballot, the Clerk or designated Election Official shall dispose of the subject ballot without review, in a secure manner for shredding and issue a new ballot to the elector.
- 11.8. Upon receipt of the Vote-by-Mail Kit, the voter shall:
- (a) using a black pen/marker, complete the ballot by colouring in completely the box or oval next to the candidate(s) of their choosing;

- (b) place the completed ballot in the white Secrecy Envelope and **seal** the envelope.
  - (c) sign and detach the bottom portion of the 'Voter Declaration Form' and place it, along with the **sealed** Secrecy Envelope, into the yellow prepaid Return Voting Envelope.
    - (i) If the Voter is unable to make a signature or mark on the Voter Declaration Form, an oral oath or affirmation of the Voter's eligibility may be given for which the witness will sign in the signature area of the 'Voter Declaration Form' and state the words "oral oath given".
    - (ii) The postage for the yellow Return Voting Envelope is prepaid when mailed in Canada
- 11.9.** In addition to using the regular mail system, a Ballot Return Station will be established for those electors wishing to deposit or have deposited their yellow Return Voting Envelope directly to the Clerk or designated Election Official. The Ballot Return Station will be located at the Municipality of West Nipissing Municipal Office, 225 Holditch Street, Sturgeon Falls, Ontario from **Monday, October 3, 2022 to Friday, October 21, 2022** during regular business hours, Monday through Friday, 8:30 a.m. to 4:30 p.m. and on **October 24, 2022** (Voting Day) from 8:30 a.m. until the close of voting at 8:00 p.m.
- 11.10.** The final day to deposit the yellow Return Voting Envelope in the mail to ensure delivery to the Clerk or designated Election Official is **October 13, 2022**. Following this date, voters are required to deposit their Return Voting Envelope at the Ballot Return Station in the Municipality of West Nipissing Municipal Office, 225 Holditch Street, Sturgeon Falls.
- 11.11.** Yellow Return Voting Envelopes deposited in the mail slot located at the front entrance to the Municipality of West Nipissing Municipal Office at 225 Holditch Street, Sturgeon Falls, until **October 24, 2022 at 8:00 p.m.** will be considered as having been mailed.
- 11.12.** A separate Mail-in-Voting Kit will be provided to each individual elector. When the Clerk or Election Official receives a completed Yellow Return Voting Envelope, they will Accept or Reject the Yellow Return Voting Envelope subject to the provisions of Section 10 hereof.
- 11.13.** Starting on **October 5, 2022**, as the yellow Return Voting Envelopes are received at the Ballot Return Station, the Clerk or designated Election Official will separate the sealed Ballot Secrecy Envelope and the Voter Declaration Form from the yellow Return Voting Envelope and scanning the identifying bar code printed **only** on the Voter Declaration Form, indicate the elector's participation on the electronic Voters' List.
- 11.14.** If, upon opening the yellow Return Voting Envelope, the Ballot Secrecy Envelope has not been sealed or in the event the Ballot Secrecy Envelope has been sliced open as a result of opening the yellow Return Voting Envelope, the Clerk or designated Election Official may re-seal or tape the envelope without examining the ballot.
- 11.15.** Sealed Ballot Secrecy Envelopes will be placed in ballot boxes which, when full, will be sealed and placed in a secure location under the control of the Clerk or designated Election Official. On **October 24, 2022**, the sealed Ballot Secrecy Envelopes will be transported to the Counting Centre located in the Municipality of West Nipissing Municipal Office, as designated by the Clerk.
- 11.16.** Ballots received by the Clerk or designated Election Official after 8:00 p.m. on Voting Day **will not be included in the tabulated results**, but will be date-stamped with the time of receipt and retained for the statutory document retention period.
- 11.17.** Notwithstanding the sections above, in the event of a Canada Post strike or any other emergency where Vote-by-Mail kits cannot be delivered, Vote-by-Mail kits will be available for pick up at the Municipal Office, 225 Holditch Street, Sturgeon Falls on or after **October 3, 2022**.

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## **12. ACCESSIBLE ELECTION POLICIES AND PROCEDURES**

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- 12.1.** Pursuant to the Act as well as the *Ontarians with Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005*, the Clerk is authorized to establish procedures and provide appropriate measures to ensure that persons with disabilities have equal opportunity to participate fully in the 2022 Municipal Election. Accordingly, the 2022 Municipal Election in the Municipality of West Nipissing will be conducted in such a manner as to ensure that:

- 12.1.1. Candidates and electors with disabilities have full and equal access to all

- election information and services; and
- 12.1.2. Persons with disabilities have full access to all Ballot Return Stations.

**Assistance to Electors with Disabilities**

- 12.2. Through the use of a mail-in voting system, the Municipality of West Nipissing is able to facilitate the opportunity for electors to cast their ballot by various means and for extended periods of time during the voting period. Should an elector choose to mark their ballot at the Municipality of West Nipissing Municipal Office, or simply to personally return their completed Voting Kit, rather than through the regular mail, the Municipality will endeavor to ensure that the process is accessible to those persons with a disability.

**Access to Ballot Return Station**

- 12.3. The Municipal Office is fully barrier-free with an accessible entrance for persons who have mobility impairments. There are three (3), clearly marked, barrier free parking spaces in the municipal parking lot on Holditch Street directly across from the Municipal Office (225 Holditch Street), with adequate curb cuts allowing access to the main floor entrance to the building. The entry area is equipped with marked automatic door openers and the doors are wide enough to accommodate wheelchair and/or scooter traffic. The Ballot Return Station is located on the main floor. The corridors are kept clear and floors are even hard surfaced, and doormats or carpeting shall be level with the floor. A designated barrier free private area with adequate lighting and seating and a suitably low writing surface will be made available, should a person with a disability choose to mark their ballot at the Municipal Office.

**Voting Assistance**

**12.4. Support Persons**

Persons with disabilities may be accompanied by a support person inside the Ballot Return Station who may mark the ballot for said person, or read the ballot aloud. There are no prescribed oaths to be taken by support persons. In addition, the Clerk or designated Election Official can also assist a voter in completing their ballot. In this instance, prior to entering the designated area, the person with the disability and the Clerk or designated Election Official will determine the extent to which assistance is needed and the best way it may be provided. This may include marking the ballot as directed by the elector, if requested. All Election Officials are required to swear an oath of secrecy.

**12.5. Service Animals**

Electors requiring service animals will be permitted to have them present while in the Ballot Return Station. They will be permitted to accompany the elector in all areas where public access is allowed.

**12.6. Assistive Devices**

Magnifying sheets will be made available and pads of paper and pens to assist any elector, as requested.

**12.7. Alternative Formats**

Election information will be made available through a range of channels and in diverse formats, including:

- 12.7.1. Information available in large print (upon request) and on the municipal website in downloadable format; and
- 12.7.2. Material in plain / clear language for electors, service providers and others who may be providing assistance.

Election information does not include the Voting Kit.

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**13. REJECTION OF BALLOTS**

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- 13.1. In addition to rejecting cast ballots for violations of the *Municipal Elections Act*, 1996, as amended, the following conditions will also cause a ballot to be considered rejected at the ballot return Station
- (a) upon opening the Return Envelope there is no Voter Declaration Form;
  - (b) upon opening the Return Envelope, the Declaration Form is not signed and an election official is unable to contact such voter to come to the Municipal Office to



sign the Declaration Form before the closing time on election day; reasonable efforts will be made to contact electors.

- (c) upon opening the Return Envelope there is a different number of Ballot Secrecy Envelopes than Voter Declaration Forms;
- (d) upon opening the Return Envelope the ballot is not contained within the Ballot Secrecy Envelope; and
- (e) upon opening the sealed Ballot Secrecy Envelope at the Ballot Count Centre, the envelope contains more than one ballot; and
- (f) has identifiable marks or other notations on the sealed ballot secrecy envelope or on the ballot which could identify the voter or which contain comments or language unacceptable to the Clerk.

**13.2.** Ballots rejected at the Ballot Return Station shall be securely stored and shall not be forwarded to the Ballot Count Centre on Voting Day. Rejected ballots from the Ballot Count Centre will be securely stored

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**14. SECURITY OF ELECTION RECORDS**

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**Security of the Ballot Prior to Voting**

- 14.1.** Ballots will be printed to required specifications and under the supervision of Dominion Voting Systems and DataFix. The number of ballots printed will be forwarded to the Clerk or designated Election Official.
- 14.2.** A Vote-by-Mail Kit including a ballot will be mailed to each person identified on the Voters' List as of **September 26, 2022** and a record of the number of mailed ballots will be forwarded to the Clerk or designated Election Official.
- 14.3.** In addition to the ballots mailed, the Clerk, or designated Election Official, will receive approximately 250 ballots of different ballot faces which will be issued to qualified electors and used for the logic and accuracy testing of the optical scanning vote tabulators.
- 14.4.** In the event that there are insufficient ballots provided by DataFix, upon the authorization of the Clerk, or designated Election Official and with the assistance of Dominion Voting Systems, additional ballots may be printed.

**Security of the Ballot During and After the Vote**

- 14.5.** Upon receiving the yellow prepaid Return Voting Envelopes by mail or from the Ballot Return Station, the outer envelope will be opened and upon being verified, the sealed Ballot Secrecy Envelope will be stored in sealed ballot boxes. At the end of each day, the number of yellow Return Voting Envelopes received that day shall be reconciled with the:
- 14.5.1. Number of electors marked as having voted on the Voters' List
  - 14.5.2. Number of rejected ballots
  - 14.5.3. Number of Ballot Secrecy Envelopes deposited into the ballot box
  - 14.5.4. Number of Voter Declaration Forms

The reconciliation results shall be recorded on the Daily Batch Reconciliation Form.

- 14.6.** At the end of each day designate by the Clerk for the opening of the Return Envelopes, the Clerk or designated Election Official shall affix a seal to the ballot boxes, initial the seal, and place the sealed ballot boxes in a secure location under the control of the Clerk or designate. Each day at the time designated for opening of Return Envelopes, the Clerk, or designated Election Official, shall retrieve any sealed but not full ballot boxes, inspect the seals to ensure they are intact and break the seals for the purpose of adding additional ballots received during that day to the ballot boxes.
- 14.7.** At 12:00 p.m. (noon) on **October 24, 2022 (Voting Day)**, the sealed ballot boxes will be transported by the Clerk or designated Election Official from the secure storage location to the Ballot Counting Centre. A ballot box will be maintained at the Ballot Return Station on Voting Day during the specified hours. At various intervals and at the close of voting at 8:00 p.m., the ballot box(es) maintained at the Ballot Return Station on Voting Day shall be sealed and transported to the Ballot Counting Centre.
- 14.8.** When the count is complete, the ballots will be placed in ballot boxes which will be sealed when



full and initialed by the Clerk or designated Election Official, prior to transfer to a secure storage location under the control of the Clerk or designated Election Official for the statutory retention period.

**Disposition of Election Records**

- 14.9.** When the 120-day period after the declaration of results has elapsed ( **February 22, 2023** if results are declared on October 25, 2022), the Clerk or designated Election Official shall destroy the ballots and may also destroy any other documents or materials related to the 2022 Municipal Election, pursuant to Section 88 of the Act.
- 14.10.** Notwithstanding section 11.9 above,
- 14.10.1. If a recount has been initiated, the records must be retained until the disposition of the recount.
- 14.10.2. Records shall not be destroyed if a court orders that they be retained.
- 14.10.3. Nomination papers and Financial Statements filed by any candidate will be retained until the members of the Council or local board elected in the next regular election take office (i.e. after November 15, 2026).

**15. BALLOT COUNTING CENTRE – GENERAL**

- 15.1.** The Ballot Counting Centre will be established at the Municipality of West Nipissing Municipal Office, 225 Holditch Street, Sturgeon Falls, as designated by the Clerk.
- 15.2.** The doors to the Ballot Counting Centre will be locked at 8:00 p.m. on **October 24, 2022**. Only the Clerk, Deputy Returning Officers, designated Election Officials, certified Candidates and authorized Scrutineers will be permitted to remain in the Ballot Counting Centre after 8:00 p.m. and only designated Election Officials will be allowed to enter thereafter. Candidates and Scrutineers leaving the Ballot Counting Centre after 8:00 p.m. **will not be permitted to return**.
- The Council Chambers at the Municipal Office will remain open after 8:00 p.m. to allow the media, candidates, and members of the public to watch the unofficial cumulative results
- 15.3.** Cell phones and/or other electronic equipment, inclusive of audio and photographic recording equipment, **will not be permitted** at the Ballot Return Stations or in the Ballot Counting Centre other than for designated Election Officials. Scrutineers and candidates will not interfere with the vote count in any manner. Should they do so, they will be required to leave the facility when requested by the Clerk or designated Election Official.
- 15.4.** No campaign material will be allowed within or upon the entire property occupied by the Municipality of West Nipissing Municipal Office (see also ‘Placement of Election Signs’ information sheet).
- 15.5.** The procedures for the proper handling of ballots shall be enforced to ensure that each ballot is tracked, stored, and subjected to quality control to confirm that:
- 15.5.1. Each ballot is scanned only once;
- 15.5.2. Each scan can be successfully processed for intent; and
- 15.5.3. Spoiled ballots are removed and managed before entering the database.
- 15.6.** The Ballot Counting Centre shall have the following stations:

STATION	DETAILS
Ballot Extraction Station	a) A letter opener is used to open the Secrecy Envelopes. The envelopes are bundled and delivered by the runner to the Ballot Extraction Station for removal of the ballot. b) Election Officials manually extract the ballot from the Secrecy Envelope, unfold the ballot, and place in a pile for delivery to the Tabulator Station. c) Ballots that are ripped, torn, or otherwise unable to be scanned shall be delivered to the “Repair Station” at the Ballot Count Centre.

STATION	DETAILS
Repair Station	a) Ballots that are unable to be scanned because of a physical or technical defect are duplicated at the Repair Station. The duplicated ballot is then scanned as per normal procedures.
Tabulator Station	a) The ballots are scanned in batches and the image processor reads each image to determine voter intent. b) Batches of scanned ballots are electronically transferred to the results tally and reporting software to generate totals reports. c) Scanned ballots are placed in ballot boxes. d) As each ballot box is filled, it is sealed and will be transferred to a secure storage facility in accordance with the <i>Municipal Elections Act, 1996</i> , as amended.

**16. BALLOT COUNTING CENTRE - OPERATIONAL PROCEDURES**

**16.1.** At 12:00 p.m. (noon) on Voting Day, the sealed ballot boxes will be transported by the Clerk or designated Election Official to the Ballot Counting Centre. At that time, designated Election Officials will be sequestered in order to commence the ballot processing procedures identified in Sections 13.2 through to and including 13.17, below.

A Ballot box(es) shall be made available in order to receive yellow Return Voting Envelopes at the Voting Day Ballot Return Station until 8:00 p.m. At various intervals, and at the close of voting at 8:00 p.m. the ballot box(es) situated at the Ballot Return Station shall be sealed and delivered immediately to the Ballot Extraction Station.

**16.2.** The following steps are repeated until all ballots cast have been processed.

**16.3.** The sealed ballot boxe(s) will be unsealed and the Ballot Secrecy Envelopes will be opened through the use of a letter opener. The opened envelopes are set aside in bundles of approximately 50.

**16.4.** A designated Election Official will deliver the opened secrecy envelopes, in bundles of approximately 50, to each election official at the Ballot Extraction Station.

**16.5.** Each Election Official, upon receipt of the opened bundle of Ballot Secrecy Envelopes, will manually extract the ballot from each Secrecy Envelope, unfold and flatten the ballot, uniformly place the 50 ballots face down in a pile for pick-up by the Runner and complete the relevant portion of the Scan Batch Control Sheet. The empty secrecy envelopes will be set aside in a separate pile.

If the Ballot Secrecy Envelope contains more than one ballot, a signed Voter Declaration Form, or a ballot from another municipality, the Election Official will re-insert the contents back into the envelope and set it aside for the Runner to deliver to the Repair Station (see also sections 10.1(c) and 10.1(d)). At the Defective Ballot Processing Station, the Election Official shall confirm the reason for rejection, assign a serial number (i.e. Rejected #1, Rejected #2, etc.), place the ballot in an envelope marked "Rejected Ballots", and record the ballot on the 'Rejected Ballot Log'.

**16.6.** In the event a ballot is accidentally slit by the envelope opener, or in the event that a ballot extracted from a Ballot Secrecy Envelope is damaged in such a manner that it obviously cannot be scanned (e.g. torn, ripped, or crumpled), the Election Official will re-insert the ballot back into the envelope and set it aside for the Runner to deliver to the Repair Station (see also section 13.10).

**16.7.** The Runner will regularly attend each Election Official at the Ballot Extraction Station to collect the flattened ballots that have been secured in bundles of 50, deliver them to the Tabulator Station and will also collect any damaged ballots and deliver them to the Repair Station.

**Scanning Procedures**

**16.8.** Upon receiving a batch of approximately 50 ballots to be scanned, the Election Official at the

Tabulator Station will, using the Scan Batch Control Sheet clipped to the bundle, record the tabulator number and the batch number as automatically generated by the software system.

- 16.9.** The Election Official will scan the batch of ballots and the image processor reads each image to determine voter intent. If there are no misreads or ambiguous marks detected, the tabulator counter will be compared to the processor counter to ensure that each scanned image has been read correctly. The details of the scan for the batch are recorded by the Election Official on the Scan Batch Control Sheet.
- 16.10.** In the case of a damaged or defective ballot, the image processor will report a misread, cease scanning and report the location of the ballot for removal. The damaged / defective ballot will be isolated for action by the Clerk or designated Election Official (either a second attempt at scanning or delivered to the Repair Station by the Runner). In the case of a ballot that is technically defective Dominion Voting Systems has calibrated the tabulator to identify marks that are under the threshold value but within a defined range of pixels as an ambiguous mark. The Clerk shall verify the suitability of this calibration through the Logic and Accuracy testing (see also sections 14.3 and 14.4)
- 16.11.** Once the batch is successfully scanned and the Election Official has completed the Scan Batch Control Sheet, the Election Official shall place the batch within an envelope labeled "Tabulator #\_\_, Batch #\_\_" with the original copy of the Scan Batch Control Sheet and place same in the next available ballot box. The Batch will be stored without paperclips or elastics. The copy of the Scan Batch Control Sheet will be retained numerically in a separate folder, under control of the Clerk or designated Election Official.
- 16.12.** When a ballot is reported as a misread by the image processor and it is determined by the Election Official that the ballot was rejected due to a technical defect, that ballot will be delivered to the Repair Station by the Runner.
- 16.13.** Upon receipt of the technically defective ballot, the Election Official shall, using a new unused ballot, prepare a replacement ballot by marking the new ballot with the same marks contained in the designated voting spaces on the technically defective ballot. The replacement ballot shall be clearly labeled "replacement" and given a serial number which shall also be recorded on the defective ballot. (i.e. Replacement #1 / Defective #1, Replacement #2 / Defective #2, etc.). The serial numbers must be recorded only on the bottom edge of the back of the ballot.
- The replication of technically defective ballots shall commence after the close of voting at 8:00pm.
- 16.14.** Technically defective ballots that contain identifiable marks shall not be remarked and will be assigned a serial number (i.e. Rejected 1, Rejected 2, etc.), placed in an envelope marked "Rejected Ballots" and recorded on the 'Rejected Ballot Log'.
- 16.15.** Replacement ballots will be delivered by the Runner to the Tabulator Station in batches of 25 with a Scan Batch Control Sheet for scanning or may be added to any other batch for scanning.
- 16.16.** The defective ballot is placed in a "Defective Ballots" envelope.
- 16.17.** If a ballot is rejected by the vote scanner / tabulator because it is not a Municipality of West Nipissing ballot, or for a reason other than described in section 13.10, the ballot will not be scanned and the rejected ballot will be assigned a serial number (i.e. Rejected 1, Rejected 2, etc.), placed in an envelope marked "Rejected Ballots" and recorded on the 'Rejected Ballot Log'.
- 16.18.** The Runner shall regularly collect the empty Ballot Secrecy Envelopes and discard them into the designated waste receptacles.

#### **Tabulation Procedures**

- 16.19.** As soon as possible after 8:00 p.m., each scanned ballot shall be electronically tabulated at the batch level, validated, and published by the Clerk or designated Election Official. By publishing the batch, the batch level results are then added to the cumulative unofficial results and released to the internet.
- 16.20.** The unofficial cumulative results will be displayed in the Council Chambers and added to the Municipality's website: [www.westnipissingouest.ca](http://www.westnipissingouest.ca).

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## **17. ALTERNATIVE VOTING EQUIPMENT**

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### **Scanning / Tabulating Equipment**

- 17.1.** Dominion Voting Systems will supply the scanning / tabulating hardware required to scan and tabulate the ballots for the 2022 Municipal Election. Two (2) centralized Optical Scan Ballot Tabulators (scanner/tabulators) will be used to scan the ballots and a PC attached to each scanner / tabulator will accumulate the data. In the event that one of the PC's affixed to the scanner fails, the remaining scanner and PC shall be used exclusively to scan the ballots.
- 17.2.** Dominion Voting Systems will supply the software package required to design ballots, scan ballots, tabulate results, audit ballot tabulation, display results and produce election results reports.

### **Programming of the Hardware and Software**

- 17.3.** The scanner / tabulator hardware and software will be programmed so that:
- 17.3.1. a printed record of the number of votes cast for each candidate is provided;
  - 17.3.2. an appropriate threshold value will constitute a valid vote based on calibration;
  - 17.3.3. a ballot that contains a mark under the threshold value but within a defined range of pixels in the designated area beside a candidate's name will not be processed by the scanner / tabulator, will be returned to the Election Official with the message "Ambiguous Mark";
  - 17.3.4. a ballot that is damaged or defective or has been marked in such a way that it cannot be properly processed by the scanner/tabulator, will be returned to the Election Official with the message "Misread Ballot";
  - 17.3.5. the scanner/tabulator will stop when it hits a damaged or defective ballot or a ballot with an ambiguous mark;
  - 17.3.6. an over-voted race (i.e. where more votes are marked on a ballot than are allowed) will not be counted. The remaining races that have been properly voted on that same composite ballot will be counted;
  - 17.3.7. an under-voted race (i.e. where fewer votes are marked on the ballot than are allowed) will be counted; and
  - 17.3.8. a blank ballot (i.e. no votes indicated in any race on the composite ballot) will be counted as a declined ballot.

### **Testing of Hardware & Software**

- 17.4.** Prior to Voting Day, the Clerk or designated Election Official, in the presence of an additional Election Official, will have the scanner / tabulators tested to ensure that they will accurately count the votes for all candidates that are marked with a pen / pencil and with a valid mark in the designated area. This test shall be known as the Logic and Accuracy Test.
- 17.5.** Adequate safeguards will be taken to ensure that the system or any part of it that is used for scanning, processing, and tabulating votes is isolated from all other applications or programs and that no remote devices are capable of gaining access to the system.
- 17.6.** After programming the software and the scanner / tabulators, the testing shall be conducted as follows:
- 17.6.1. scan and tabulate a pre-audited group of ballots marked with a variety of marking tools, including ballots that fall into each of the following categories:
    - ballots on which are recorded a pre-determined number of votes for each candidate;
    - ballots that have over-voted races for each candidate;
    - ballots that have under-voted races for each candidate;
    - ballots that have no votes recorded.
  - 17.6.2. compare the output of the tabulation with the pre-audited results.
- 17.7.** If the Clerk, or designated Election Official, detects any error in the test, the cause of the error will be ascertained and corrected and the test shall be repeated until an errorless count is made and certified by the Clerk, or designated Election Official.
- 17.8.** The Clerk shall, at the completion of the test, retain the programs, test materials, and ballots in a sealed envelope with the remaining election materials and records in accordance with the Act.

**Scanner / Tabulator Failure**

- 17.9.** If the scanner / tabulator fails, the batch that is currently being scanned will be rejected and set aside until such time as the scanner/tabulator is operational. In the event that a scanner / tabulator malfunctions during the counting process, it may be necessary for an adjustment on the scanner / tabulator. Paper jams, multi-feeds and other minor interruptions will not be considered malfunctions and will not require that the system be re-tested.
- 17.10.** Upon the scanner / tabulator becoming operational again, the following procedure is to be followed to verify that the problem has been rectified on the repaired scanner / tabulator and that the equipment is scanning and reading correctly:
- a) The Clerk will have prepared, prior to the commencement of the scanning a pre-audited group of ballots similar to the pre-audited group of ballots as provided above.
  - b) The test deck of ballots will be fed through the scanner / tabulator.
  - c) The Clerk or designate will review the digital image of each ballot and verify that the scanner / tabulator is reading the ballots properly.
  - d) The test batch is then scanned as a test to verify that the system is scanning correctly. This process will be done using a replica of the database that will reside on a separate computer which is not connected to the actual election database, so that the results of the testing are not in any way combined with the actual election results.
  - e) If the results indicate that the scanner is now performing correctly, the test results are removed from the replica data base and the test ballots are sealed in an envelope and labeled as “test deck ballots” and the time of the test.
  - f) The scanner / tabulator will now be ready to resume production.

**Auditing and Transparency**

- 17.11.** Dominion Voting’s patented system stores a complete image of every ballot processed, together with an audit trail for that ballot which is visually affixed to the image. This trail shows how the scanner / tabulator interpreted the ballot and by viewing this image it can be easily verified that the tabulator has correctly interpreted the voter marks on the ballot. This ballot audit trail image can be used as:
- 17.11.1. A method to test machine integrity prior to the election; and
  - 17.11.2. A method of obtaining confidence that the equipment is functioning properly.

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**18. SCRUTINEERS AND CANDIDATES**

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- 18.1.** Candidates may appoint Scrutineers to represent them, by completing the ‘Appointment of Scrutineer by Candidate (EL12A)’ form.

**Rights of Scrutineers and Candidates**

- 18.2.** As the Municipality uses alternate voting processes, specifically Vote-by-Mail and Automated Vote Scanning and Tabulation, the procedures with respect to the scrutinizing of the election process are impacted. Candidates and their Scrutineers are advised to be aware of the opportunities for scrutinizing the election as established by the Municipal Clerk pursuant to Section 42 of the Act.

**Rules of Conduct for Scrutineers and Candidates**

- 15.3**
- (1) Election Stations: Ballot Return Station and the Ballot Counting Centre.
  - (2) The Clerk, or other designated Election Official, is responsible for the conduct of the Ballot Return Station, Ballot Secrecy Envelope Opening Station and the Ballot Counting Centre. **No Candidate or Scrutineer has any right to interfere** with the Clerk, or designated Election Official, in the discharge of his or her duties.
  - (3) Prior to entering any of the Election Stations, as listed in (1) above, every person appointed as a Scrutineer shall produce and show his/her ‘Appointment of Scrutineer by Candidate (EL12A)’ form to the Clerk or designated Election Official and take the Oral Oath of Secrecy listed at the bottom of the form.
  - (4) Upon being approved to enter any of the Election Stations, as listed in (1) above, every

Candidate and Scrutineer shall, at all times while in any of the Election Stations, wear the assigned Identification Card in such a manner that it can be easily seen by the Election Officials.

- (5) **Only one Scrutineer for each certified Candidate or the Candidate themselves** may be present within any of the Election Stations as listed in (1), at any time. If the Candidate or another of his/her Scrutineers enters the Station, the other Scrutineer shall leave.
- (6) Scrutineers and candidates wishing to observe the count shall be at the Ballot Counting Centre prior to 8:00 p.m. on Voting Day. No one other than Election Officials will be admitted to the Ballot Counting Centre after 8:00 p.m. on Voting Day.
- (7) Candidates and Scrutineers shall be required to sit in the designated areas.
- (8) Scrutineers must not attempt to directly or indirectly influence how an elector votes.
- (9) Scrutineers shall not display any campaign material or literature anywhere within the Election Stations as listed in (1) above or the boundaries of the property where the Election is located and includes the parking lot. Candidates, supporters and scrutineers are not permitted to wear campaign material, handout campaign material or park a vehicle displaying campaign material in the parking lot of the Ballot Return Station. Anyone breaking these rules will be asked to remove the campaign material immediately.
- (10) Scrutineers and Candidates shall not, at any time, apply their seals or signatures to any boxes or envelopes used for the secure storage of sealed Ballot Secrecy Envelopes, completed Voter Declaration Forms and Rejected Voter Kits.
- (11) Scrutineers and Candidates shall not touch any election equipment, materials, and/or documents including but not limited to: scanning / tabulator equipment, computers, envelope openers, ballots, Ballot Secrecy Envelopes, Voter Declaration Forms and Ballot Return Envelopes. They are simply there to observe.
- (12) The total of votes cast for each Candidate as counted by the scanner / tabulator equipment and as accepted by the Clerk or designated Election Official is final and the **ballots will not be recounted**. The unofficial election results will be displayed on the Municipality's website: [www.westnipissingouest.ca](http://www.westnipissingouest.ca) for viewing or printing by the Candidate or Scrutineer. The Clerk will not provide a report of the unofficial election results to each Candidate or Scrutineer individually.
- (13) Cell phones and/or other electronic communication or recording devices are not permitted in any Election Stations, as listed in (1) above.

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**19. ANNOUNCEMENT OF RESULTS**

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- 19.1.** Unofficial results of the counting will be posted at the Municipality of West Nipissing Council Chambers and the Municipality's website: [www.westnipissingouest.ca](http://www.westnipissingouest.ca).
- 19.2.** Once the cumulative results have been certified by the Clerk, or designated Election Official, they will become the official results.
- 19.3.** The official results will be posted in the Municipality of West Nipissing Municipal Office as soon as possible after Voting Day.

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**20. RECOUNTS**

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- 20.1.** Where there is a tied vote for the election of a candidate to an office and both or all of the candidates cannot be declared elected, the Clerk must hold a recount within 15 days after the declaration of results of the election.
- 20.2.** In the event of a recount of the ballots cast for an office(s), pursuant to Sections 56, 57, or 58 of the Act, the recount shall be conducted in the same manner as the original count (i.e. vote-counting equipment) unless ordered otherwise by an order of the Superior Court of Justice.
- 20.3.** Pursuant to section 42(4), paragraph 3(ii) of the Act, those persons entitled to attend a recount as identified in subsection 61(5) of the Act are **not** entitled to examine each ballot as the votes are being counted by the Clerk, or designated Election Official.

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**21. EMERGENCIES**

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- 21.1.** In the event of an emergency situation or any circumstance that will undermine the integrity of the election, the Clerk has the discretion under Section 53 of the *Municipal Elections Act* to declare an emergency and make any arrangements he/she deems necessary for the proper conduct of the election.

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**22. AMENDMENT TO THESE POLICIES AND PROCEDURES**

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- 22.1.** The Clerk, at any time, has the right to amend this document to facilitate the vote, count, tabulation of the votes and security or any other matter at the sole discretion of the Clerk.
- 22.2.** The Clerk’s ruling on any interpretation of this document is final.

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**23. REPEAL**

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- 23.1.** That By-Law 2018/27 be repealed.

**ENACTED AND PASSED THIS 5<sup>th</sup> DAY OF APRIL 2022 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.**

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JOANNE SAVAGE  
MAYOR

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JEAN-PIERRE (JAY) BARBEAU  
DEPUTY CLERK



The Corporation of the Municipality of West Nipissing /  
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

**2022 /**

**APRIL 5, 2022**

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

**BE IT RESOLVED THAT** the West Nipissing Community Services Department be authorized to purchase a new ice resurfacer from **ZAMBONI COMPANY LTD.** for \$95,850.00 (plus HST).

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
Ward 7 (vacant)		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: \_\_\_\_\_

DEFEATED: \_\_\_\_\_

DEFERRED OR TABLED: \_\_\_\_\_