



*Town of*  
**East Gwillimbury**

# **Election Procedures for the 2018 Municipal Election**

Approved by the  
Clerk / Returning Officer of  
The Town of East Gwillimbury  
This 30<sup>th</sup> of April, 2018

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## Introduction

In accordance with the *Municipal Elections Act (MEA)*, the Clerk is permitted to establish procedures for the upcoming elections for the Town of East Gwillimbury. 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 Town 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.

## Definitions

**Ballot** means a piece of paper on which the elector will indicate their choice of candidates for the 2018 Municipal Election in a secret vote.

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

**Candidate** means a person who has been officially nominated under S.33 of the *MEA*.

**Certified Candidate** means a Candidate whose nomination has been certified by the Clerk under section 35 of the *MEA*.

**Clerk** means the Clerk of the Town of East Gwillimbury who is responsible for conducting the 2018 Municipal Election under the authority of the *MEA*. The Clerk may appoint Election Officials for the purposes of these procedures and may designate their titles and duties.

**Election Campaign Advertisement** means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a certified Candidate.

**Election Day** means the fourth Monday in October of an election year. Election Day for the 2018 Election is Monday, October 22, 2018.

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

**Eligible Voter** means a person qualified to vote in accordance with the *MEA*.

**Municipal Elections Act (MEA)** means the *Municipal Elections Act, SO 1996 c32*, as amended.

**Municipal Office** means the Town of East Gwillimbury administration building located at:

19000 Leslie Street  
Shoron, Ontario  
L0G 1V0

**Municipal Website** means the Town of East Gwillimbury website, [www.eastgwillimbury.ca/egvotes](http://www.eastgwillimbury.ca/egvotes)

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

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

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

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

**Town** means the Corporation of the Town of East Gwillimbury.

**Voter Notification Card (VNC)** means a letter that the Town sends to every elector whose name appears on the PLE and contains voting instructions.

**Voters' List** means the Preliminary List of Electors, as corrected by the Clerk, under the provision of Section 22 of the *MEA*.

**Advanced Voting Period** means the period in which an eligible voter may cast their vote prior to Election Day. For the 2018 Municipal Elections, the dates are as follows:

October 6<sup>th</sup> from 9:00 a.m. to 4:00 p.m.

October 11<sup>th</sup> from 5:00 p.m. to 9:00p.m.

October 13<sup>th</sup> from 9:00 a.m. to 4:00 p.m.

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

## **General Information**

### **Principles of the *MEA***

- a) The secrecy and confidentiality of the individual votes is paramount.
- b) The election must be fair and non-biased.
- c) The election must be accessible to all voters.
- d) The integrity of the process must be maintained throughout the election.
- e) There must be certainty that the results of the election reflect the votes cast.
- f) All voters and candidates must be treated fairly and consistently.

### **Election Team**

The Clerk is responsible for preparing for the election, preparing for and conducting recounts and maintaining peace and order in connection with the election while ensuring that the principles of the *MEA* are maintained.

The Clerk shall delegate duties in writing to Elections Officials, who will be assigned duties as required to assist in the administration, management, security and control of the Municipal Election. The Clerk may also appoint additional personnel as required. The following are members of the Election Team:

Fernando Lamanna, Clerk and Returning Officer

Tara Lajevardi, Deputy Clerk-Legislative Services

Neil Proudfoot, Deputy Clerk-Legal Services

Lynda Brown, Elections Coordinator and Deputy Returning Officer

Jibira Rajadurai, Elections Assistant and Assistant Returning Officer

Closer to the Election period, additional persons within the Municipal Office will be appointed to provide assistance. All persons assisting with the Municipal Election are required to take an Oath.

## **Ward Boundary and Council Composition**

On 19<sup>th</sup> of September, 2017, the Council of the Corporation of the Town of East Gwillimbury passed By-law 2017-132. This By-law enacts the change in council composition and the transition from the at-large system to a ward system.

The change entails the addition of two members of Council and three wards to represent the Town of East Gwillimbury. As a result of this change, there will be a total of two councillors elected per ward, along with an at-large Mayor for the Town of East Gwillimbury, which totals to 7 Members of Council representing the Town of East Gwillimbury.

## **Candidate Information and Nominations**

### **Candidate Qualifications**

#### **Running for Council**

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

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

- A Canadian citizen
- At least 18 years of age
- A resident of the Town of East Gwillimbury (York Region, in the case of Regional Chair) or own or lease property (or be the spouse of the owner or lessee) in the Town of East Gwillimbury (York Region, in the case of Regional Chair)
- 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 East Gwillimbury 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.

## Running for School Board Trustee

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

To run for School Board Trustee the person must be:

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

### *English-Language Public District School Board*

Candidate must:

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

### *English-Language Separate District School Board*

Candidate must be Roman Catholic who must:

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

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

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

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

### *Conseil scolaire catholique MonAvenir (French-Language Separate District School Board)*

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.

## Municipal Employees Running For Office

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

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

## Candidate Nominations

### \*Notes

- 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.***
- 2. Once filed, nomination papers remain in the possession of the Clerk and may be open for inspection by any member of the public.***

Nomination papers may be filed for the following offices from **Tuesday, May 1, 2018** to **Thursday, July 26, 2018** during Normal Business Hours, and between **9:00 a.m. and 2:00 p.m.** on **Friday, July 27, 2018** (Nomination Day), for the following Offices:

### **Members of Council**

At-large Mayor- 1 to be elected

Ward 1 Councillors- 2 to be elected

Ward 2 Councillors- 2 to be elected

Ward 3 Councillors- 2 to be elected

### **School Board Trustees**

York Region District School Board Trustee- 1 to be elected

York Catholic District School Board Trustee- 1 to be elected

Conseil scolaire Viamonde Trustee- 1 to be elected

Conseil scolaire catholique MonAvenir Trustee- 1 to be elected

### **York Regional Council**

Regional Chair- 1 to be elected

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 registering must be eligible electors from the time of filing their nomination through to Election Day and if successful must maintain their eligibility throughout their term of office.

### Filing Authority for Candidate Nominations

Nomination papers for the office of Mayor and Ward Councillors for the Corporation of the Town of East Gwillimbury must be filed with the Town Clerk.

Nomination papers for the office of Regional Chair must be filed with the York Regional Clerk.

Nomination papers pertaining to the York Region District School Board Trustee are filed with the Town of Whitchurch-Stouffville Clerk.

With the Town of Newmarket Clerk.

Nomination papers pertaining to the Conseil scolaire Viamonde Trustee and the Conseil scolaire catholique MonAvenir Trustee offices are filed with the City of Markham Clerk.

### Documentation Required for Filing Nomination

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 faxed or other electronically transmitted nomination paper will be accepted.**

### Filing by Agent

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

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

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

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

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

### **Acceptable Photo Identification**

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

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

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

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

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 and credit, certified cheque or money order. No other method of payment is permitted.

### **Procedure for Nomination Day- July 27, 2018**

As registration process takes upwards of 30-45 minutes, interested candidates are **encouraged** to 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 2018 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.

For the purpose of Nomination Day, the Clerk's office will be extended to include the Customer Service kiosk located on the upper floor of the Town of East Gwillimbury Civic Centre (located at 19000 Leslie Street, Sharon, ON L0G 1V0).

Individuals wishing to file their completed nomination paperwork between **1:30 p.m. and 2:00 p.m.** on Nomination Day must ensure that the following steps have been completed prior to/or at the 2:00 p.m. deadline:

- Meet with the Election Official at the front kiosk;
- The Election Official will time/date stamp the bottom right corner of the Nomination Paper- Form 1 using the Town's time/date stamp machine (*Lathem Atomic Time*) commonly used for Procurement submissions; and
- Depending on the number of candidates filing last minute and time availability, the Election Official will issue a ticket, a number representing the individual's appointment in the queue to meet with the Municipal Clerk or Designate.

**Note:** The Election Official **will not** be permitted to accept any Nomination paperwork after the 2:00 p.m. deadline. The Election Official at the Customer Service kiosk **is not** the designated individual to sign on behalf of the Municipal Clerk or Designate.

### **Withdrawal of Nomination**

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., July 27, 2018.**

### **Candidate Names**

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**

A list of nomination papers filed (non-certified) will be amended and posted on the Town of East Gwillimbury website as soon as possible after filing.

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

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 Town's website.

## **Certification of Candidate Nomination Papers**

Under the *MEA*, the Clerk is required to reject or certify nominations of candidates. On or prior to 4:00 p.m. on July 30, 2018, 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**

Candidates will be declared as acclaimed on July 30, 2018 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.

## **Campaign Finances**

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**

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:

<b>Mayor</b>	\$7, 500 + 85 cents per Eligible Elector for the Office
<b>Ward Councillors</b>	\$5, 000 + 85 cents per Eligible Elector for the Office
<b>School Board Trustees</b>	\$5, 000 + 85 cents per Eligible Elector for the Office
<b>Regional Chair</b>	\$7, 500 + 85 cents per Eligible Elector for the Office

With the introduction of the new 3-ward system, the preliminary maximum amount will be based on the number of eligible electors from the Municipal Property Assessment Corporation (MPAC) as of March 2018, rounded down to the nearest hundredth. Upon filing of Nomination Papers, candidates will be provided the Preliminary Certificate of Maximum Campaign Expenses.

On or before September 25, 2018, 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 2018 Municipal Election. The Certificate will be provided to each Candidate, via email.

**Candidates' Contribution to Own Campaign**

In accordance with Section 88.9.1 of the *MEA*, the Clerk will determine the maximum amount a candidate and his or her spouse (in combination) can contribute to his or her own campaign using the prescribed formula. With the introduction of the new 3-ward system, the preliminary maximum amount will be based on the number of eligible electors from the Municipal Property Assessment Corporation (MPAC) as of March 2018, rounded down to the nearest hundredth.

The maximum amount a candidate for an office on a council and his or her spouse may contribute to the candidate's own election campaign is the lesser of \$25,000 or:

<b>Mayor</b>	\$7, 500 + 20 cents per Eligible Elector for the Office
<b>Ward Councillors</b>	\$5, 000 + 20 cents per Eligible Elector for the Office
<b>School Board Trustees</b>	\$5, 000 + 20 cents per Eligible Elector for the Office
<b>Regional Chair</b>	\$7, 500 + 20 cents per Eligible Elector for the Office

Upon filing of Nomination Papers, candidates will be provided the Preliminary Certificate of Maximum Contributions to Candidate's Own Campaign.

On or before September 25, 2018, the Clerk will calculate the amount for the Final Certificate of Maximum Contributions to Candidate's Own Campaign using the number of eligible electors on the Voters' List for the 2018 Municipal Election. The Certificate will be provided to each Candidate, via email.

## Election Finances

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' 2018 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 publically disclosed through the municipal website. For more information regarding financial statements, see section, ***Post-Election***.

## Third Party Advertisers

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

Third Party Advertisers may register with the municipality starting on Tuesday May 1, 2018 and until Friday October 19, 2018 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, Regional Chair 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 29, 2019. 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

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.

## Campaigning

### Prohibition of Canvassing / Advertising at Voting Locations

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.

### Questions Regarding Campaign Processes

Candidate questions or concerns shall be addressed to the Town Clerk. Questions asked by candidates may be uploaded to a shared FAQ database located on the municipal website to assist all Candidates.

### Use of Municipal Resources

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

For more information, please refer to the Town's Use of Corporate Resources Policy.

### **National Do Not Call List**

The Canadian Radio-television and Telecommunications Commission (CRTC) has established a National Do Not Call List (DNCL). The following is an excerpt of the Telecom Regulatory Policy CRTC 2009-200:

“In addition to the exemption set out in section 3(d), the National DNCL Rules do not apply to telemarketing telecommunication made by or on behalf of a candidate as defined in section 2(1) of the Canada Elections Act or a candidate under provincial law for the purposes of a provincial or municipal election, or by or on behalf of the official campaign of such a candidate.”

### **Scrutineers**

A candidate may appoint scrutineers to represent him/her during the election process including attendance in the Voting Location and at the counting of vote, including a recount. The appointment shall be made using the Appointment of Scrutineer by Candidate Form as signed by the candidate. When entering the Voting Location (within the municipal office or other designated Voting Location) the scrutineer will be asked to provide identification and their signed Appointment of Scrutineer by Candidate Form. The scrutineer will be issued an identification badge which must be returned to the Election Official before leaving the Voting Location.

There are no age restrictions to be a scrutineer, nor any provision that a scrutineer cannot be related to the candidate who made the appointment. A candidate may appoint one scrutineer for each Ballot Box in use at the Voting Location. In this situation, the number of scrutineers is reduced by one when the candidate appointed them is present at the Voting Location.

All scrutineers must take an Oral Oath of Secrecy at the Voting Location.

Each scrutineer shall be responsible for his/her conduct, rights and prohibitions as set out on the applicable appointment form including but not limited to:

- Attempting to cause a disturbance at a voting place or within the Voting Location;
- attempting, directly or indirectly, to interfere with how an Elector votes;
- attempting to campaign or persuade an Elector to vote for a particular candidate;
- displaying a candidate's election campaign material in a voting location;
- compromising the secrecy of the vote;
- interfering, or attempting to interfere, with an Elector who is marking a ballot;

- obtaining or attempting to obtain, in a voting location, any information about how an Elector intends to vote or has voted
- communicating any information obtained at a voting location about how an Elector intends to vote or has voted
- attempting to use a cell phone or electronic recording device within the Voting Location; and,
- attempting to interfere with election staff in the discharge of his / her duties.

Any candidate, scrutineer, third party advertiser, agent or voter who by their actions creates a disturbance or interferes in any way with the proper conduct at the Voting Location, may be expelled from the location for such actions. An agent, candidate or scrutineer who is dissatisfied with the actions of election personnel is invited to contact the Clerk to discuss the matter.

Scrutineers and/or candidates wishing to observe the final count must be at the Voting Location prior to 8:00 pm on election night. No one will be admitted into the space after 8:00 pm.

## **Election Signs**

Town of East Gwillimbury Sign By-law No. 2018-044 provides for the regulation of election signs.

Regional Municipality of York By-law No. 2015-36, as amended, provides for the regulation of election signs at regional intersections.

## **Voter Information**

### **Voter Qualifications**

A person is entitled to be a voter in the Town of East Gwillimbury if, on Voting Day, he or she:

- Is a Canadian Citizen;
- Is at least 18 years old;
- Reside in the Town of East Gwillimbury or are the owner or tenant of land in East Gwillimbury, or the spouse of such person,
- Is not prohibited from voting because he or she:
  - Is serving a sentence of imprisonment
  - Is a corporation
  - Is acting as an executor or trustee in any other representative capacity
  - Was convicted of a corrupt practice described in Section 90(3) of the MEA.

A voter is only entitled to vote once in a municipality even if the voter has more than one qualifying property within the municipality. If a voter resides in one ward but has other properties in different ward(s) in the same municipality, he or she may only vote in the ward where he or she resides. A voter may only have one permanent residence.

**IT IS THE RESPONSIBILITY OF THE ELECTOR TO ENSURE THEY ARE QUALIFIED.**

### Trailer Owners and Fractional Property Owners

Trailer owners in campgrounds are considered tenants and may therefore vote if they are entitled to use the land on Voting Day, or for at least six weeks in the year of the election.

Fractional property owners are considered owners. A tenant or owner of property under a fractional or time share contract are not entitled to vote unless the person(s) are entitled to use the land, on voting day or for a period of six weeks or more during the calendar year in which voting day of the election is held.

### Students

Students who reside away from home may vote in both places (in the municipality where they attend school and where their family resides) as long as the family residence is their permanent residence.

### Homeless Persons

Persons without a permanent residence may qualify to be added to the voters list during the revision period provided that they can identify a place within East Gwillimbury where they frequently returned to eat and sleep during the five weeks preceding.

### Voter Notification Cards

Voter Notification Cards will be mailed to all Eligible Voters who are listed on the Voters' List in late September. The Voter Notification Card will include information on the Eligible Voter's designated ward, poll, polling location and dates and times for Advance Polls and Election Day. Individuals who are Eligible Voters who did not receive a Voter Notification Card are encouraged to contact the Elections Team at the Town of East Gwillimbury.

### Form of Ballots

The Town of East Gwillimbury uses a composite ballot. Each voter receives one ballot that contains every office for which they are entitled to vote. There are different ballots depending upon the school support of the voter, and the ward in which the elector resides. All Eligible Voters will also be voting for the Office of Regional Chair for The Regional Municipality of York Council.

## **Proxy Voting**

An elector who is not able to cast their ballot on Voting Day at their designated Voting Place, or at any of the Advance Voting Places/Dates, may appoint another person as Voting Proxy to vote on their behalf.

The following rules apply:

- a. The person acting as a Voting Proxy must also be an eligible elector in the Town of East Gwillimbury
- b. No person shall appoint more than one Voting Proxy and no person can act as a Voting Proxy for more than one person unless the Voting Proxy and the person for whom they are voting is their spouse, sibling, parent, child, grandparent, or grandchild.
- c. Voting Proxy Forms can be picked up and certified at the Clerk's Office from Wednesday, August 1, 2018 until Monday, October 22, 2018 between the hours of 8:30 a.m. to 4:30 p.m. and at any Advance Poll, during Voting Hours.
- d. Upon request, a blank Appointment of Voting Proxy form may also be mailed or emailed to the requester.
- e. To appoint a Voting Proxy, the elector must complete the Appointment of Voting Proxy form, including the name of the person they are appointing, and the elector's signature must be witnessed.
- f. The person appointed as a Voting Proxy must attend the Municipal Clerk's Department in the Municipal Office during the permitted hours for Proxy appointments. The person appointed will be required to show the following identification:
  1. At least one piece of original personal identification, and
  2. Either an original or copy of the identification of the elector making the appointment.
- g. On Voting Day the person acting as a Voting Proxy must attend the Voting Place designated for the elector for whom they are voting.
- h. The person who has been appointed as a Voting Proxy is still entitled to vote in his/her own right at their appropriate Voting Place.

## **Voting Locations and Hours of Voting**

Please visit [www.eastgwillimbury.ca/egvotes](http://www.eastgwillimbury.ca/egvotes) for all Voting Locations and hours.

## **Voters' List**

### **Preliminary List of Electors (PLE)**

The Town Clerk and the Municipal Property Assessment Corporation (MPAC) will agree upon a date, which must be earlier than September 1, 2018 (or on July 31, 2018 if no date is agreed upon) for when the Town will receive the Preliminary List of Electors (PLE) from MPAC.

The list shall be reviewed by the Town Clerk, or their designate, and obvious errors shall be corrected and MPAC shall be notified as permitted under section 22 of the *MEA* before Friday August 31, 2018. Ultimately, the list shall be approved for use as the Voters' List.

Electors are encouraged to visit [www.voterlookup.ca](http://www.voterlookup.ca) to check to see if you are on the List, or contact MPAC to ensure their proper information, including birth date and mailing address, are correct for all applicable properties:

Municipal Property Assessment Corporation (MPAC)  
Monday to Friday, 8 a.m. to 5 p.m.  
1-866-296-6722

## Revisions to the Voters' List

After the PLE has been distributed and corrected by the Clerk, electors are encouraged to ensure they are on the voters' list with the correct information by contacting the election help centre or using the internet voter look-up module.

During the period that begins on September 1 and ends at the close of Election Day, a person may make an application to the Clerk to be added to or amend the Voters' List. Eligible voters who are not on the Voters' List will be able to be added to the list by filling out an Application to Amend Voters' List and providing proof of identity and residence.

Following the process, the Eligible Voter's name will be added to the Voters' List and a Voter Notification Card will be provided, in-person or through mail.

If a person is not an Eligible Voter, they will not be added to the Voters' List.

Notice of this revision period shall be advertised a minimum of one time in the newspaper and on the Town of East Gwillimbury website during this period.

The Clerk has the authority to remove a person's name from the Voters' List if the Clerk is satisfied that the person has died (without an application to change the Voters' List). The Clerk is also able to remove a deceased person's name from the Voters' List without a hearing, when an application has been filed.

## VoterView Module

The Town of East Gwillimbury utilizes the Municipal VoterView module to manage and update the Voters' List on an ongoing basis. Only those Election Officials delegated authority to access the PLE and Voters' List will be provided access to the application.

## **Copies of Voters' List**

On written request, the Clerk shall provide a copy of the Voters' List to:

- The secretary of a local Board any of whose members are to be elected in this election
- The Clerk of the local municipality responsible for conducting the elections in any combined area for school board purposes
- The Clerk for the Regional Municipality of York
- The Minister
- Candidates (for Ward Council candidates only those portions pertaining to their area)
- MPs or MPPs who represent any part of the Town of East Gwillimbury

## **Voter Notification Cards**

Voter Notification Cards shall be distributed by mail or hand-delivered as required, to all Eligible Voters on the Voters' List, which will include instructions on how to exercise their right to vote. If there are any concerns regarding the information pertaining to the Eligible Voter on the Voter Notification Cards, he or she is encouraged to contact an Election Official to make the required revisions.

## **ELECTION ADMINISTRATION**

### **Clerk's Authority**

The Clerk is responsible for facilitating the 2018 Municipal Election through the establishment of rules and procedures. The Clerk may appoint, in writing, election officials to assist in the administration of the election process with duties including but not limited to:

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

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

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

## Secrecy

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

## Public Notice

Notice of Nominations will be posted a minimum of one time prior to Nomination Day in the East Gwillimbury Express and on the municipal website. In the event of the need for an additional notice after the close of nominations, this public notice will be published electronically.

The Clerk shall give notice of the election (if one is required) as soon after Nomination Day as possible which will include a list those candidates with certified nominations for each office. The notice shall be advertised a minimum of one time in the East Gwillimbury Express and on the Town of East Gwillimbury website.

## Accessibility

The Town of East Gwillimbury is committed to ensuring that all qualified electors have the opportunity to vote. Any questions or comments regarding accessibility should be directed to the Clerk.

The Clerk shall ensure that the Voting Locations are accessible to electors with disabilities. In accordance with Section 12.1 of the Act, the Town Clerk is required to prepare a plan regarding the identification, removal, and prevention of barriers that affect electors and candidates with disabilities and make the plan available to the public in advance of the voting period. The Clerk is also required to provide a follow-up report to the public within 90 days after the election.

## Election Day

### Administration

**Customer Service Operators** – there will be two people assigned who are familiar with the Town’s call centre technology. The Operators will be answering all general phone inquiries. Any general inquiries related to election results will be directed to the Town’s website. Any media inquiries will be directed to the Communications Manager.

**Result Recorders** – there will be three people assigned to receive election results from Poll Supervisors. The Result Recorders will occupy the three cubicles within the finance department. The Poll Supervisors will be trained and given the three finance extensions

to call in election results. The telephone messaging option on the three finance phones will be disabled. The Result Recorders will complete pre-filled poll station sheets with the results provided.

**Result Runner** – will run the pre-filled result forms from the Result Recorders to the Data Entry Clerk.

**Data Entry Clerk** – there will be one individual entering the results onto an excel spread sheet by Poll. At approximately 5 minute intervals, the Data Entry Clerk will save the excel spread sheet on the Town's server PLUS on the desktop computer as a contingency. The spread sheet will then be saved as a PDF on a USB stick and given to the Result Runner to deliver to the Web Data Clerk. The Data Entry Clerk will continue entering data as it is delivered and repeat the above process every 5 minutes.

**Data Auditor** – The Data Auditor will review all results entered on the spread sheet against the forms filled out by the Result Recorder to ensure accuracy. The Data Auditor will also act as the Result Runner.

**Web Data Clerk** – The Web Data Clerk will be publishing, on the Town's website the PDF document of the results. The Web Data Clerk will return the USB to the Data Entry Clerk to re-save the PDF with the up-dated results and repeat the process approximately every 5 minutes.

**Information Technology Team** - Two IT staff will be ensuring all IT systems are operational and conducting periodic checks and providing IT support if and when it is required. IT Staff will setup and monitor council chambers as "Election Central" with the side projector displaying the Town's web site for election results and the main overhead projector displaying Rogers Cable 10 for all local election results.

**Advanced Vote and Traveling Vote Count** – There will be a Supervisor to ensure that all designated Election Officials and Candidate Scrutineers are checked in the Holland Landing Room for the counting of Advance Poll and Travelling Polls (7:30 pm – 7:59pm). The Supervisor will oversee the count process and telephone the results to the Office. The Supervisor will be responsible for transporting the Advance Poll and Travelling Poll ballot boxes from the Secured Archive to the Holland Landing Room and back once the count is complete.

**Communications Manager** – The Communications Manager will be the lead contact for media and social media updates. Communication Manager will also call all registered candidates running for Municipal Council and provide the unofficial results when they have all come in.

**Ballot Box Receiver** – The Deputy Clerk or designate will be stationed at the back of the Civic Centre under a tent to receive ballot boxes that will be dropped off by Poll Supervisors. The Deputy Clerk will go over a check list and ensure that all documentation required for the Clerk to certify the results are separate from the sealed ballot box. If the required documentation is in the sealed ballot box then the Deputy

Clerk and Poll Supervisor will re-open the ballot box and remove the required documentation and re-seal the ballot box and place their initials on the seals. Once the check list is finalized the Poll Supervisor is excused of their duties. The ballot boxes are then transported to Secured Archive via the rear stair case.

**Ballot Box Lock-up** – The Election Assistant will receive the ballot boxes transported from the rear entrance and organize the ballot boxes by poll on the designated shelving within the Secured Archive. Once all ballot boxes are accounted for, the rolling shelf will be locked for added security.

**Student Volunteers** – There will be student volunteers assisting with various tasks throughout election night. Those tasks will include but are not limited to: assisting the Supervisors in transporting ballot boxes, ensuring refreshment table is set up and stocked for guest attending “Election Central”.

**Senior Management** – All Senior Management attending will be appointed as Election Officials by the Clerk. Senior Management will liaison with all guests that may attend “Election Central”. Senior Management will also be on hand for any emergency management situations as appointed by the Clerk. Senior Management is permitted within the Finance area to simply observe the Election Night Results Team in action, but is encouraged to remain in and around “Election Central” to mingle with guests.

**Municipal Clerk** – The Municipal Clerk will oversee all production of the Election Night Results Team ensuring that all operations run in a timely and smooth manner.

As soon as possible after Voting Day, the Clerk shall declare the candidates elected as a result of the election, and certify the results of the election.

## Ballot

In accordance with Section 41(2) of the *MEA*, the following rules apply:

- “The Candidates’ names shall appear on the ballot in alphabetical order, based on their surnames and, in the case of identical surnames, their forenames;
- 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;
- No reference to a Candidate’s occupation, degree, title, honour or decoration shall appear on the ballot;
- If the surnames of two or more Candidates for an office are identical or, in the clerk’s opinion, so similar as to cause possible confusion, every Candidate’s qualifying address shall appear under his or her name; and
- A space for marking the ballot shall appear to the right of each Candidate’s name.”

To the right of each Candidate's name will be an oval. Electors shall be instructed to mark their ballot by filling in the ovals beside the names of the Candidates of their choice.

## Procedures for a Manual Count

### *Before Election Day*

Election staff will count the ballots and ensure the number on the Certificate and Receipt for Ballots is correct. To confirm the totals were correct, they are required to sign the form. If the totals do not match, the staff will enter the corrected number of ballots.

The Certificate and Receipt for Ballots is placed in a white envelope and returned to the Clerk at end of day. Enter the number of ballots received on two copies of the Composite Ballot Statement and place it in the folder. The Composite Ballot statement will be used at the end of day to tally the votes.

### *Opening the Voting Place*

The DRO and Election Assistant shall set up the work table facing the centre of the room with the table and the voting screens behind so the elector voting will have their back to the wall and can vote unobserved.

All election staff must arrive at the polls by 9:15 a.m. The Supervisor will be instructed to call the Town Offices at 9:20 a.m. to report any Election Worker who has not arrived at the polling location to arrange for another Election Worker to take over that position.

The polls must open promptly at 10:00 a.m.

### *Closing the Polls*

1. The DRO shall administer oath of secrecy to all scrutineers and candidates that intend to stay for the vote count.
2. Election Staff shall Obtain the Composite Ballot Statement and record the number of electors who voted in the middle section on the right hand side of the form in the area titled DRO's Entry As To The Number of Electors Who Voted.
3. Election Staff shall record the number of Cancelled Ballots on the Composite Ballot Statement.
4. Election Staff shall record the number of Declined Ballots on the Composite Ballot Statement.
5. Election Staff shall record the number of unused ballots on the Composite Ballot Statement.
6. After removing all materials from the table, the Ballot Box shall be opened.
7. The Ballots shall be removed from the Ballot Box and checked for the DRO initials as the ballots are unfolded. The Election Staff will prepare for the manual count.

## Recount

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

In the absence of a Recount By-law, a recount will be permitted under the following circumstances, as included within the MEA:

- Where the counting of ballots resulted in a tie vote;
- Where a municipality, local board or Minister of Municipal Affairs has passed a resolution to order a recount; or
- Where an electors' request has been granted by the Superior Court of Justice.

## Emergency Situations

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

The purpose of this plan is to help Municipal Officials and Election Day staff carry out their duties on Election Day, October 22, 2018 in the event that an emergency should arise.

For this election, East Gwillimbury will be using two methods of voting.

### Advance Poll Voting

During the advance poll, we will be implementing a vote anywhere system. Designated days have been set up for voting at four locations including the Municipal Office, Holland Landing Library, Ross Family Complex and the East Gwillimbury Sports Complex. Voters across East Gwillimbury will be able to vote at their most convenient location. Using the municipal Voter View program, electors will be searched electronically and struck off when their vote has been cast. When the name has been struck, this web based program will show the electors name struck at all locations eliminating the concern for the elector casting more than one ballot. We will be using Wi-Fi connections at each of the locations. If the Wi-Fi connections fail, the following alternate procedures will be put into place:

1. Data Sticks are being acquired for all Advance Poll Locations.
2. Each location will be provided with a hard copy of the voters list which can be used if no computer access is available.

### Election Day

On Election Day, we will be using nine different voting locations. Each location will serve a designated number of electors who are entitled to vote only at that location. If any of the facilities become totally unavailable for some reason the following locations will be used as alternatives:

### Original Location

Park Avenue Public School  
Holland Landing Community Centre  
East Gwillimbury Sports Complex  
Queensville United Church  
North Union Community Centre  
Mount Albert Lions Hall  
Ross Family Complex  
Our Lady of Good Counsel  
Victory Baptist Church

### Alternate Location

Holland Landing Community Centre  
Victory Baptist Church  
Sharon Public School  
East Gwillimbury Sports Complex  
Mount Albert Lions Hall  
Ross Family Complex  
Mount Albert Lions Hall  
East Gwillimbury Sports Complex  
Holland Landing Community Centre

Any future changes will be at the sole discretion of the Clerk.

In order to convey this information to the public, a Notice of Disruption signage would be posted at the facility and the Town webpage would be updated immediately. It would also be suggested that a member of the Town staff be present at the location to explain to members of the public the reason for the disruption and the location of the alternate voting location.

### Service Disruption Hindering Electors

When there is a disruption which does not halt but hinders access to voting, the Supervisor would be responsible for the following steps:

1. In the event of a fire alarm ALL DRO's are responsible for gathering the ballot box; the list of electors that voted and the ballots. Exit the building to a safe location. The Supervisor is to take attendance of all election staff and election material. The Supervisor is to contact the Returning Officer or his designates at the Town Office to advise of the emergency.
2. In the event of a minor disruption, the Supervisor shall contact the Returning Officer or his designates at the Town Office to advise of the problem
  - a. The Returning Officer would locate the building custodial staff in order to try to find a solution to the problem
3. The Supervisor would post a "Notice of Disruption"
  - a. Write the estimated length of time of the service disruption
  - b. Write which service will be temporarily unavailable
  - c. Write which service will be available as an alternate
  - d. Post the completed form at any entrance to the building being used by electors
  - e. Once the disruption to service has ended, remove the posted form and notify the Returning Officer that the disruption is over

## Contact Phone Numbers

Returning Officer:	<b>Fernando Lamanna</b>	Office: 905-478-3821 Cell: 905-955-1098
Deputy Returning Officers:	<b>Lynda Brown</b> <b>Tara Lajevardi</b> <b>Neil Proudfoot</b>	Office: 905-478-4282 Office: 905-478-4283 ext. 3855 Office: 905-478-4283 ext. 3842
Elections Assistant	<b>Jibira Rajadurai</b>	Office: 905-478-4283 ext. 1256

## Post-Election

### **Financial Statements**

Candidates and Third Party Advertisers are required to submit completed financial statements of campaign expenses using the prescribed forms to the Clerk. Completed statements are required to be submitted to the Clerk by March 29, 2019.

There are penalty provisions in the MEA that are applicable to candidates who fail to meet the disclosure and reporting requirements. If a candidate fails to pay over a surplus to the Clerk or exceeds their election spending limit, they forfeit any office they have been elected to and are ineligible to run for or to be appointed to any office in Ontario until the next regular election. A candidate will be permitted to resubmit a financial statement to correct an error, until the filing deadline. The nomination filing fee will only be refunded if a financial statement is filed on time. If a candidate doesn't file their financial statement on time and is willing to pay a \$500 late filing fee, the candidate will be provided an additional 30 day grace period to file the financial statement. A candidate exercising this option will not be refunded their nomination filing fee.

In accordance with the MEA, the Clerk shall before Voting Day, notify all candidates of the penalties under section 88.23 (2) and 92(1) related to election campaign finances.

### **Clerk's Responsibility to Review Financial Statements**

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

### Clerk's Report on Financial Statements

As soon as possible after April 30, 2019, the Clerk will be required to provide a report and make it available on the Town's website, setting out all candidates in an election and indicating whether each candidate complied with financial reporting requirements.

### Disposition of Records

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

The Clerk shall retain candidates' financial statements and auditor's reports until the members of the council or local board elected at the next regular election have taken office.

Notwithstanding the previous paragraph,

- If a recount has been initiated, the records must be retained until the disposition of the recount.
- Records shall not be destroyed if a court orders that they are to be retained.
- Nomination papers and Financial Statements filed by any Candidate shall be retained until the members of the Council or local board elected in the next regular election take office (i.e. after November 15, 2022)