



# Procedures Manual

**2026 Municipal Election**



*Town of / Ville de Penetanguishene*

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### GENERAL OVERVIEW

#### Authority

On April 26, 2017, the Council of the Town of Penetanguishene adopted By-law #2017-28 authorizing the use of an alternative voting method, that being the Telephone/Internet Voting method.

On June 11, 2025, the Council of the Town of Penetanguishene passed a resolution endorsing the use of Internet/Telephone voting with hybrid voting (Internet/Telephone voting and paper ballots) on Election Day only for the 2026 Municipal and School Board Trustee Election.

The Municipal Elections Act, more specifically Subsection 42(3), states as follows:

#### **Procedures and forms**

- (3) The clerk shall,
- a) establish procedures and forms for the use of,
    - i) any voting and vote-counting equipment authorized by by-law, and
    - ii) any alternative voting method authorized by by-law; and
  - b) provide a copy of the procedures and forms to each candidate when his or her nomination is filed. 2009, c. 33, Sched. 21, s. 8 (22); 2016, c. 15, s. 31 (3).

Subsection 42(4), states that the clerk shall provide the procedures and forms on or before June 1 in the year of the election.

Subsection 42(4), states that the procedures and forms established by the clerk, if they are consistent with the principles of the Act, prevail over anything in the Act and the regulations made under it.

Subsection 11(2) of the Municipal Elections Act states that the clerk of a local municipality has responsibility for conducting elections within that municipality and responsibility for,

- a) preparing for the election;
- b) preparing for and conducting a recount in the election;
- c) maintaining peace and order in connection with the election; and
- d) in a regular election, preparing and submitting the report described in subsection 12.1 (2). 1996, c. 32, Sched., s. 11 (2); 2009, c. 33, Sched. 21, s. 8 (7).

With respect to the duties and authority of a municipal clerk, the Municipal Elections Act further states as follows:

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.

12(2) The power conferred by subsection (1) includes power to establish forms, including forms of oaths and statutory declarations, and power to require their use.



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12(3) The power conferred by subsection (1) includes power to require a person, as a condition of doing anything or having an election official do anything under this Act, to furnish proof that is satisfactory to the election official of the person's identity or qualifications, including citizenship or residency, or of any other matter.

13(1) Any notice or other information that this Act requires the clerk to give shall be given in a form and manner and at a time that the clerk considers adequate to give reasonable notice or to convey the information, as the case may be.

13(2) The clerk shall provide electors, candidates and persons who are eligible to be electors with information to enable them to exercise their rights under this Act.

Subsection 42(5) states that when a by-law authorizing the use of an alternative voting method is in effect, Sections 43 (advance votes) and 44 (voting proxies) apply only if the by-law specifies. By-law #2017-28 of the Town of Penetanguishene states that no proxy voting provisions are applicable at the Municipal Elections conducted.

The Municipal Elections Act, more specifically Section 53, also provides that the clerk may declare an emergency if they are of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with this Act and provides the authority to the clerk to make arrangements for the proper conduct of the election. Any arrangements made by the clerk, if they are consistent with the principles of the Municipal Elections Act, prevail over anything in the Act and the regulations and all such arrangements, if made in good faith, shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.

Where these procedures do not provide for any matter related to the election to which these procedures apply, the matter will be conducted in accordance with the principles of the Act. These principles are generally recognized to include the following:

- a) The secrecy and confidentiality of individual votes is paramount;
- b) The election should be fair and non-biased;
- c) The election should be accessible to all voters;
- d) The integrity of the process should be maintained throughout the election;
- e) There is to be certainty that the results of the election reflect the votes cast;
- f) Voters and Candidates should be treated fairly and consistently; and,
- g) The proper majority vote governs by ensuring that valid votes be counted and invalid votes be rejected so far as is reasonably possible.

The Clerk has the right, at any time, up to and including Voting Day, to amend the procedures contained herein. A copy of any amendment will be forwarded to each candidate.

These procedures may be amended, as necessary and deemed appropriate, by the Clerk of the Town of Penetanguishene by June 1, 2026. Any amendment to these procedures shall be signed by the Clerk and a copy of the amendment(s) shall be provided forthwith by the method deemed appropriate by the Clerk, to all certified candidates for office for the Town of Penetanguishene and/or school boards.

The most up to date version of these procedures will be available on the Town of Penetanguishene website.



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Therefore, as clerk of the Town of Penetanguishene and Returning Officer for the 2026 Municipal & School Board Elections, I do hereby certify and approve the following procedures for conducting the 2026 Municipal & School Board Elections and also establish that the attached forms are the forms permitted to be used during this election process.

April 23, 2026  
Date Approved

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Kelly Cole  
Municipal Clerk/Returning Officer



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### Definitions

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

**Alternative Voting** means voting through non-traditional methods (i.e., Ballots)

**Advance Voting** means voting conducted between the hours of 10:00 am beginning on October 13, 2026 and ending on October 26, 2026 by 8:00 pm.

**Auditor** means the person/organization appointed by the Municipality who performs the prescribed combination of processes and procedures (audit duties) designed to validate a range of activities and/or functions on the internet/telephone/paper ballot voting system.

**Ballot** means either an image on a computer screen, or any web enabled device, of a ballot card for an election to be voted for, including all choices available to the electors and containing spaces in which the electors mark their votes; or when voting using a telephone or wireless phone, an audio set of instructions which describe all choices available to the electors and instruction to mark their selection by depressing the numbered touchtone keypad; or when voting using a paper ballot.

**Ballot Box** means a computer database in the system where cast internet Ballots are put, or, a secured sealed box into which voters put completed ballots.

**Candidate** means a person who has been officially nominated under Section 33 of the Municipal Elections Act, 1996.

**Certified Candidate** means a candidate whose nomination has been certified by the municipal Clerk under Section 35 of the Municipal Elections Act, 1996.

**Clerk** means the Clerk of the Town of Penetanguishene who is responsible for conducting this election under the authority of the Municipal Elections Act, 1996, as amended. (This legislation provides that the Clerk of a municipality may provide for any matter that is not otherwise provided for in an Act or regulation and is, in the Clerk of the municipality's opinion, necessary or desirable - Section 12 of the Municipal Elections Act). All references to the Clerk for the purposes of this manual shall mean the Returning Officer (RO) for the 2026 Municipal Election. All references to Clerk's designate shall mean the delegated duties of the Returning Officer.

**Compliance Audit Committee** is a group of local professionals appointed to a joint committee organized by the County of Simcoe who receive and determine the merit of complaints, if any, relating to campaign expenses as reported on a candidate's filed Financial Statement – Auditor's Report (Form 4).

**Computing Device** means an electronic device that may access the internet, including, but not limited to: a computer, laptop, tablet, or mobile device.

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

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



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**Election official** means the Clerk or other person(s) appointed in writing by the Clerk to carry out election duties under the Municipal Elections Act, 1996. An election official can only carry out the tasks and duties as assigned in writing by the Clerk, and must take the prescribed oath.

**Elector Management System** is web-based services for reviewing and managing the list of eligible voters within the Town and provides tools to manage the election process with respect to the Voters' List.

**Eligible Elector** means a person who is entitled to be an elector at an election held in the local municipality, if on voting day they meet the qualifications outlined in Section 17(2) and 17(3) of the Municipal Elections Act, 1996.

**Endorsement** means the nomination of a person for an office on a council must be endorsed by at least 25 persons, and they may endorse more than one nomination. Persons endorsing a nomination must be eligible to vote in an election for an office within the municipality, on the day the elector endorses the candidate. School Board Trustees do not need to have endorsements.

**In-Person Voting** means a Voter Assistance Centre or Voting Places established by the Town of Penetanguishene, which uses the Town for the purpose of controlled Computing Devices, or other alternative voting methods.

**Internet Voting System** means the technology and software that records, processes, stores, and counts the Ballots cast. "Internet Voting System", and "Internet Voting System" shall have the same meaning.

**Internet Voting System Provider** means the vendor chosen by the Town of Penetanguishene, to provide the technology and software that records, processes, stores, and counts the Ballots cast.

**Memory Card** means a cartridge that is a removable, battery-sustained memory where all tabulated totals are stored with the subdivision program.

**Nomination** means the act of submitting a name for candidacy or appointment.

**Nomination Period** begins May 1, 2026 and ends on Nomination Day, August 21, 2026 at 2:00 p.m.

**Password** means an additional access control word assigned by the Internet or Telephone voting Service Provider to each authorized user to provide additional security for access to the voting system.

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

**Preliminary List of Electors** means a list of electors for the Town of Penetanguishene compiled by Elections Ontario (EO) and provided to the Town between July 31 and September 1 of an election year as agreed upon by OE and the clerk.

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



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**Regular Business Hours** means the time between 8:30 am and 4:30 pm, Monday through to and including Friday, and excludes statutory holidays.

**Satisfactory Identification** means the identification required under the Municipal Elections Act, 1996 (Ontario Regulation 304/13) which would provide proof of identity and residence of an individual to the satisfaction of an election official.

**Script** means all information flow and system prompts from the Internet or Telephone voting system including instructions, informational messages, error messages, and exceptions.

**Secrecy Folder** means an apparatus in which a ballot can be placed so as to conceal the names of the candidates and the marks upon the face of the ballot and so as to expose the initials of the deputy returning officer.

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

**Support person** means a person who has been requested by an elector to assist them in the voting process.

**Tabulator** is the device that ballots are fed into that collects data from a ballot.

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

**Vote Tabulator Supervisor** is an election official appointed by the Clerk or designate to assist the Clerk in the performance of his or her duties in relation to the conduct of the 2026 Municipal Election. Primarily responsible for operating the ballot tabulator machine to process completed ballots.

**Voter Assistance Centre** means a location designated by the Clerk supplied with a telephone and internet connection to accommodate voting during the voting period. The ability to vote at the Help Centre will be limited to regular office hours or as otherwise posted. Also deemed a voting location.

**Voter Information Letter (VIL)** means a sealed envelope containing a Personal Identification Number (PIN) for each person on the voters' list or who has completed an application, duly approved by an election official, for inclusion on the voters' list, a telephone access number and internet address for voting, a Voter Help Centre number for assistance and a list of candidates for office. These envelopes shall be mailed individually, or hand-delivered as required, to every person on the voters' list.

**Voters' List** means the Preliminary List of Electors, as corrected by the clerk, under the provisions of Section 22 of the Municipal Elections Act 1996, c. 32, Sched., s. 22; 2006, c. 33, Sched. Z.3, s. 18 (3).

**Voting Day** means the final day on which the vote is to be taken in an election and shall be until 8:00 p.m. on that day. Voting day in a regular election is the fourth Monday in October – October 26, 2026.

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



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



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### **Application**

This procedure has been developed under the authority of Subsection 42(4) pursuant to Subsection 42(3) (a) (ii) of the Municipal Elections Act, and applies to the Telephone/ Internet Voting being conducted by the Town of Penetanguishene between October 13, 2026 and October 26, 2026.

The procedures and forms established by this document prevail over anything in the Act and its regulations, as per Subsection 42(4) of the Municipal Elections Act.

Where these procedures do not provide for any matter, the election shall be conducted as far as is consistent and practical within the principles of the Municipal Elections Act with the same being determined and established by the clerk.

These procedures may be amended, as necessary and deemed appropriate, by the clerk of the Town of Penetanguishene. Any amendment to these procedures shall be signed by the clerk and a copy of the amendment(s) shall be provided forthwith to all certified candidates for office for the Town and/or school boards.



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### Election Official Positions

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

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

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

**Assistant Returning Officer\* (ARO)** shall mean a person appointed by oath to act in the place of the Returning Officer in respect of administering oaths, revision of the Voters' List, ensuring security, set-up of alternative voting method, Help Centre coordination and assistance, and other duties as may be delegated by the Returning Officer.

**Deputy Returning Officer\* (DRO)** shall mean a person appointed by oath to carry out duties for the administration of Help Centres throughout the Voting Period and other duties as may be delegated by the Returning Officer.

**Election Assistant\* (EA)** shall mean a person appointed by oath for the purposes as set out in the oath and such other duties as may be delegated by the Returning Officer.

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



### Secrecy

#### **1. Election Officials**

All Election Officials will take an oath and be appointed as per the "Appointment and Oath on an Election Officials" Form EL 11.

All electors voting at the Voter Assistance Centre may vote with the assistance of a support person; however, the support person shall be required to take the appropriate oath prior to providing assistance.

#### **2. Elector Interference and Privacy Breaches**

No person shall interfere or attempt to interfere with an elector while in the process of voting, unless expressly requested and authorized by an elector asking for assistance.

No person shall obtain or attempt to obtain information about how an elector intends to vote or has voted. Any individual requested by an elector to assist him or her in voting is required to maintain the secrecy of the vote(s) cast by the elector and shall vote according to the instructions and wishes of the elector.

No person shall communicate any information that might have been inadvertently obtained about how an elector intends to vote or has voted.

No elector shall reveal how they intend to vote except when obtaining assistance in voting from either a support person or an election official.

#### **3. Complaints**

All complaints regarding any and/or all breaches of secrecy shall be investigated by the proper authorities and shall be prosecuted according to the provisions of "Corrupt Practices and Other Offences - Penalties and Enforcement" under Sections 89 through 94 of the Act.



### Nomination Procedure

#### 1. Notice of Nomination Period

The Clerk shall give notice of the nomination period through municipal social media channels, on digital signage and on the municipal website (Section 32).

#### 2. Candidate Nomination Papers

Filing nomination papers:

1. Nominations and/or endorsements must be on the prescribed form and are to be filed with the Clerk at the appropriate Municipal Office.
2. Nomination Papers may be filed for the following offices at the Town of Penetanguishene from May 1, 2026 during regular business hours, and between 8:30 am and 4:30 pm on Friday August 21, 2026, (i.e. Nomination Day), for the following offices:
  - i. Mayor – 1 to be elected
  - ii. Deputy Mayor – 1 to be elected
  - iii. Councillor – 5 to be elected
  - iv. Trustee, English Language Public School Board – 1 to be elected
  - v. Trustee, English Language Catholic School Board – 1 to be elected
  - vi. Trustee, French Language Public School Board – 1 to be elected
  - vii. Trustee, French Language Catholic School Board – 1 to be elected
  - viii. Trustee, English Language Separate School – 7 to be elected
3. Each candidate must also pay the prescribed nomination filing fee of \$200.00 for Head of Council and \$100 for all other offices - the filing fee for the Town of Penetanguishene shall be paid by cash, debit card, certified cheque or money order payable to the Town of Penetanguishene. Each nomination must also have an endorsement of at least 25 electors eligible to vote for an office within the municipality.
4. Nomination Papers for school boards must be obtained and filed at the appropriate Municipal Office. Endorsements are not required for anyone filing a nomination for School Board Trustee.

#### 5. Unofficial List of Candidates

The Clerk shall provide notice of the unofficial list of candidates by preparing and posting in the Municipal Office and on the website a Registered List of Candidates which is to be updated as each Nomination Paper is filed. Once the Clerk certifies the nominations of candidates on Nomination Day, this list becomes the List of Certified Candidates.

#### 6. Certification of Candidate Nomination Papers

On Nomination Day, August 21 2026, after 2:00 pm the Clerk shall examine each nomination paper filed with the Clerk and, if satisfied the person is qualified to be nominated and that the nomination complies with the Act, the Clerk shall certify the nomination paper. If not satisfied, the Clerk shall reject the nomination and shall notify the person who sought to be nominated and all other Candidates for that office.



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All certified candidates are to provide to the Clerk the proper pronunciation of their name, in English and, in French if applicable, no later than August 21, 2026.

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

### 7. Third Party Advertiser Registrations

In accordance with Section 88.6 of the Act, eligible third-party advertisers may file a notice of registration with the Clerk in the prescribed form and with a declaration of qualification. There is no prescribed fee for registering but Third Parties must be registered prior to advertising.

Registrations can be filed starting with the opening of the nomination period on May 1, 2026 until the Friday before Voting Day, during regular business hours, which is October 23, 2026 until 4:30 pm.

A Candidate whose nomination has been filed shall not direct any third-party advertisements.

### 8. Nomination Records & Retention

Municipal Freedom of Information and Protection of Privacy Act:

- a) Upon filing, nomination papers become part of the public record and shall be disclosed to members of the public upon request.
- b) Upon receiving nomination papers, Candidate information is posted to the Town of Penetanguishene's website.

The Clerk shall retain Candidate financial statements, third-party advertiser financial statements, and auditor's report as required by the Act.

## Voter's List

### a) Voter Qualifications

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

- a) is a Canadian citizen,
- b) is at least 18 years old,
- c) resides in the local municipality, or is the owner or tenant of land in the local municipality, or the spouse, or same-sex partner of such a person; and
- d) is not prohibited from voting under subsection 17(3) of the Municipal Elections Act, 1996 or otherwise, by law.

### b) Preliminary List of Electors / Voters' List

The Preliminary List of Electors (PLE) shall be obtained from Elections Ontario in an electronic format.

The list shall be reviewed by the Clerk of the Town of Penetanguishene, obvious errors shall be corrected as permitted under Section 22 of the Municipal Elections Act, and the list shall be approved for use as the Voters' List.



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The PLE shall contain the name and address of each person who is entitled to be an elector and additional information the Clerk needs to determine for which offices each elector is entitled to vote, such as school support. The Clerk shall, to the best of their ability and legislative authority, ensure that an elector's name appears on the PLE for a local municipality only once.

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

Where a voter is associated with multiple properties within the Town of Penetanguishene, the voter may vote only once, and the qualifying address to determine eligibility for voting shall be the place of residence of the voter.

All duplications of names on the Preliminary List of Electors shall be verified by the Clerk and/or election official(s), and all duplicate names of individuals shall be deleted prior to the final preparation of the voters' list. Should a voter receive more than one Voter Information Letter, the voter may only vote once and must return the other Document(s) to the Municipal Administration Office.

The corrected PLE becomes the Voters' List. Amendments may be made to the Voter's List at any time from September 1, 2026 to the closure of voting on October 26, 2026 at 8:00 p.m.

### **c) Elector Management System**

Election staff will use a program called Municipal VoterView to update and make changes to the Preliminary List of Electors and the Voter's List. The Municipal VoterView application allows staff to add, change, delete or move voters as required in accordance with provisions of the Municipal Elections Act, 1996. In addition, the application provides a number of elector related reports to support election planning and can identify potential inaccuracies on the list.

The Clerk shall inform electors using various methods how revisions are to be made to the Voter's List. An online lookup tool will be made available on the Town of Penetanguishene's website.

### **d) Copies and Distribution of the Voters' List**

Once the Preliminary List of Electors has been prepared, the list shall be reproduced in paper or electronic format and distributed to those who are entitled to copies under Subsections 23(3), (4) and (5) of the Act:

- a) All certified candidates shall be entitled to an electronic format and/or a hard copy of the voters' list and shall sign a statement acknowledging that the voters' list shall not be used for any commercial purposes.



- b) The list shall be available in an electronic format to accommodate the administration in the voting process at all Voting Places as well as the Voter Assistance Centre.
- c) Additions, corrections and deletions may be made to the list in accordance with the Municipal Elections Act, 1996.
- d) The Clerk shall produce an electronic list of the additions, corrections and deletions, and make available the additions, corrections and deletions to those who are entitled to copies of the voters' list under the Act and the same shall be the final voters' list. This list, as required under Section 27 of the Municipal Elections Act, shall be available by September 15 as requested to the Clerk
- e) The voters' list, as corrected by the Clerk pursuant to Section 22 of the Municipal Elections Act, 1996 shall be provided to the Town's Voting vendor, for the purpose of creating and distributing Voter Information Letters.

### **e) Amendments to the Voters' List**

Eligible electors who attend any Voting Place and/or the Voter Assistance Centre and are not on the voters' list will be able to be added to the list by filling out a declaration form and providing satisfactory identification.

- a) Eligible voters' names will be added to the voters' list and they will be assigned and receive a Voter Information Letter containing a (PIN); and
- b) Voters will be able to vote at the Voter Assistance Centre and designated Voting Places if they so wish during the specified voting period.

Additions, corrections and deletions may be made to the list in accordance with the Municipal Elections Act, 1996.

The clerk and/or the Internet or Telephone voting Service Provider shall produce an electronic list of the additions, corrections and deletions, as stated in the above paragraph of this document, and make available online these additions, corrections and deletions to those who are entitled to copies of the voters' list under the Act and the same shall be the final voters' list.

The voters' list, as corrected by the clerk pursuant to Section 22 of the Municipal Elections Act, 1996 shall be provided to the Internet or Telephone voting Service Provider in computer format in order for the Internet or Telephone voting Service Provider to manage the Voter Information Letter.

### **f) Notices to Voters**

The Clerk of the Town of Penetanguishene shall notify voters of the following election information through the use of advertisements:

- a) that municipal & school board elections are being held for The Town of Penetanguishene and that the Municipality has adopted an alternative voting method (and the manner in which electors may use the alternative voting method), being Internet Voting and vote tabulator equipment on Election Day only.



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- b) the date(s), time(s) and location(s) for the holding of the vote including advance voting, and the methods of voting for each;
- c) the office(s) of the council and/or school boards;
- d) that voting proxies are not permitted with the option of an alternative voting method;
- e) who is eligible to vote in the municipal & school board elections;
- f) the location(s) and dates, and hours of operation of the Voter Assistance Centre and voting places, how persons can check to see if their name is on the voters' list and the procedures by which their name can be added or information corrected on the voters' list.

At the Clerk's discretion, notices will be posted on the Municipality's website. The following essential notices shall be issued:

- a) Notice of Election Information.
- b) Notice of Revision of Voters' List.
- c) Notice of Nomination.
- d) Certified Election Results.

The Clerk reserves the right to publish additional advertisements and notices as deemed appropriate.

Where possible, cooperative advertising may take place - costs to be approved and shared by the participating municipalities.

#### **g) Voter Information Letters (VIL)**

Voter Information Letters (VIL) will contain unique Elector PINs for every eligible elector registered to vote with the Township of West Lincoln. Elector PINs will be required when registering to vote online. VILs should be received by electors no later than the second week of September.

The Voters' List, being the compilation of the Preliminary List of Electors and Interim List of Changes, shall be used to produce the Voter Information Letters.

Voter Information Letters, under agreement with the Town's Internet Voting Provider, shall be responsible for the creation and distribution of all VILs for eligible voters and letters shall be mailed. All Voter Information Letters shall be made available in any form requested.

The Voter Information Letters will contain:

- a) The elector's unique Personal Identification Number (PIN); the telephone number(s) to call to cast a vote, and the designated internet address (URL) to access to cast a vote using the internet;
- b) Instructions on how to vote
- c) Dates and hours of voting
- d) The location and telephone number of the Voter Assistance Centre and polling station

A person cannot give their Voter Information Letter to another eligible elector for the purpose of voting. Acceptance of another person's Voter Information Letter



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including the actual voting thereof will be considered an illegal and corrupt practice and therefore subject to the penalty provision under the Municipal Elections Act, 1996, specifically Sections 89 and 90.

Verifying and re-issuing a Voter Information Letter and Personal Identification Numbers to qualified voters:

- a) where a person on the voters' list has lost their Voter Information Letter or did not receive it in the mail, or does not have access to it, they can attend a Voter Help Centre in order to receive a new one. The authorized election official will disable the voter's lost Personal Identification Number (PIN) and electronically mark it in the system with the appropriate details. Upon providing satisfactory identification to an election official, an oath shall be taken by the voter and a new Voter Information Letter containing a new Personal Identification Number (PIN) shall be issued.
- b) where a person on the voters' list has lost their Personal Identification Number (PIN), did not receive it in the mail, or does not have access to it, they can attend a Voter Help Centre in order to receive a new one. The authorized election official will disable the voter's previous PIN and electronically mark it in the system with the appropriate details. Upon providing satisfactory identification or information to a Voter Help Centre election official, as may be defined, a new Personal Identification Number (PIN) shall be issued. Should a Voter Information Letter be returned to the Municipal Administration Office unopened, the PIN status will be disabled by an election official in a manner that prevents the PIN from being successfully validated in the voting process. The Voter Information Letters will then be marked "unused" and be retained in a secure means and subsequently destroyed at the same time as all other Municipal Election material as provided for under Section 88(2) of the Municipal Elections Act, 1996.

Should a Voter Information Letter be returned to the Municipal Administration Office that has been opened but has not been used for voting purposes, the PIN status will be disabled by an election official in a manner that prevents the PIN from being successfully validated in the voting process. In this circumstance, the Voter Information Letter shall be marked unused and be retained and destroyed.

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

- a) that were sent to voters on the voters' list;
- b) that were undeliverable and returned from the Post Office;
- c) that were returned by a voter or other individual(s) either opened or unopened but unused for voting purposes;
- d) that were re-issued to an eligible elector;
- e) whose PIN on the Letters were set to a status that prevented them from being validated in the voting process.



### Scrutineers

Scrutineers may be appointed, in writing by the candidate, as stated under Section 16 of the Act. If appointed, scrutineers will be entitled to the following:

- a) Upon request and after producing the properly signed appointment of Scrutineer form and prescribing to the oath(s) of secrecy, they may attend the Voter Assistance Centre and Voting Place during hours of operation to observe the process. Scrutineers who do not follow the instructions of the Clerk or Election Official, or who attempt to interfere, influence or determine how an elector is voting, will be requested to leave the Voter Assistance Centre or Voting Place immediately. Their appointment will be revoked and they will not be permitted to re-attend the Voter Assistance Centre.
- b) To be present at the time and place where results are received by the Clerk including signing the results report indicating the final results and votes cast.

Use of a cellular telephone or any other electronic device shall **NOT BE PERMITTED** within a Voter Assistance Centre or Voting Place by any candidate or scrutineer.

### Voting Places

#### 1. Establishing Voting Places

At voting locations, the entire property will be considered as the voting place. As a result, any campaigning or campaign material is prohibited and will be removed from anywhere surrounding the voting place.

The Clerk shall establish the location of voting places for an election as they consider most convenient for the electors. The Town of Penetanguishene will also use alternative vote method of Internet and telephone voting where electors will have the option to "vote anywhere".

Approved Voter Assistance Centre and Voting Places will be posted to the Town of Penetanguishene's website. The Clerk shall ensure that the Voter Assistance Centre and all Voting Places are accessible. Locations will be confirmed in writing, ensuring each location will be open and clarifying what, if any, furniture will be provided by the owner.

A contact person for Advance Voting and on Voting Day will be appointed and an agreement will be signed by all owners/agents of premises where voting places are located. The voting places will be large enough to permit a proper layout – secrecy for voter, etc.

For the purposes of elections conducted with alternative voting methods, a special voting place (Section 45(7)) is not required. However, a Voter Assistance Centre will be established at Town Hall to assist electors with the voting process being internet voting from October 13, 2026 to October 23, 2026 during regular office hours.



### 2. Advance Voting

The Town of Penetanguishene will provide multiple options for casting a ballot during the voting period, ensuring that everyone has a chance to vote. According to Section 43 of the Act, the Clerk is responsible for setting the dates, locations, number of voting places, and hours for advance voting opportunities.

Electors will have the opportunity to vote using Internet or Telephone voting during an advance voting period, as set by the Clerk. Electors will be able to cast their vote in-person using a ballot on Election Day only.

### 3. Voting Locations

Eligible Voters may vote through the following voting methods:

- a) Advanced Voting (October 13, 2026 to October 26, 2026) using Internet or a telephone.
- b) A voter assistance centre will be established at the Town's Administration Building (Townhall, 10 Robert Street West, Penetanguishene, ON) which will have equipment securely available for residents to access the internet during regular office hours starting on October 13, 2026 to October 23, 2026.
- c) Polling Station will be established at James Keating Elementary School for in-Person/Tabulator Voting on Election Day (October 26, 2026) from 10:00 a.m. to 8:00 p.m.

### Emergencies

In accordance with Section 53 of the Act, the Clerk may declare an emergency if they are of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with the Act.

In the event of an emergency, the Clerk/Returning Officer shall advertise on radio and television stations if possible, and post notices to the extent possible, that the election has been delayed.

In the event of an emergency, the Internet Voting System provider under direction from the Clerk/Returning Officer, shall stop the Internet Voting system from accepting calls via a telephone and connections from the Internet, thus preventing the election from continuing, or starting, as the case may be.

In the event the Clerk/Returning Officer or Assistant Returning Officer is unable to be present to conduct procedures on voting day, there shall be a substitute qualified person appointed or available to attend to the election details.

### Election Records and Retention

#### 1. Records Filed or Prepared by Election Officials

Despite anything in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), documents and materials filed with or prepared by the Clerk or any other election official under the Municipal Elections Act, 1996 are public records, and



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until their destruction, may be inspected by any person at the Clerk's Office at a time when the office is open. No person shall use information obtained from public records described above, except for election purposes.

### **2. Use of Information**

At no time after voting day shall any information regarding the voter, PINs and ballots come together to allow anyone to know how an elector has voted.

Use of electronic and paper versions of the Voters' List, Interim List of Changes to the Voters' List, Voter Participation Status reports and all other information containing personal voter information shall be protected by the candidate and shall not be used for any purpose other than the 2026 Municipal and School Board Election.

All Voter information obtained by the candidate during the 2026 Municipal and School Board Election shall be returned to the Town after the election, by returning same to the Clerk for destruction with other election material. Any Voter information saved on a Candidates electronic device shall be deleted completely. If records are shared by the candidates with others (campaign workers), an oath administered by the candidate, similar to the one taken by the candidate shall be administered and all shared records shall also be protected and destroyed as provided above.

### **3. Retention of Election Records**

On February 19, 2027, after 120-day retention period, the Clerk shall destroy the ballots cast in the presence of two witnesses. The retention period would be extended in the event of a recount.

All election materials shall be retained and, after the appropriate retention period, destroyed in accordance with the principles of Section 88 of the Act.

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

Election materials shall not be destroyed by the Internet Voting System Provider before receiving written confirmation from the Clerk.



### VOTING

#### Internet and Telephone Voting

The Council of the Town of Penetanguishene approved the use of Internet Voting for the 2026 Municipal and School Board Election through staff report CL-2025-05, as authorized by By-law 2017-28 under the provisions of Section 42 of the Act.

The vendor of record for internet and telephone voting is Intelivote Inc. and will commence on October 13, 2026 at 10:00 a.m. through to October 26, 2026 at 8:00 p.m.

The Voter Assistance Centre will have equipment securely available for residents to access the internet voting method only, during regular business hours, at the Town Administration Office located at 10 Robert Street West, Penetanguishene, ON. Every eligible elector shall be limited to only one vote through the use of a PIN distributed by first class mail, or hand-delivered as required, in a sealed and personalized Voter Information Letter.

- a) Eligible voters shall be required to telephone a designated number or access a designated internet address and cast their vote.
- b) Every eligible elector shall be limited to only one vote through the use of a PIN distributed by Incentive Letter Mail, or hand-delivered as required, in a sealed and personalized Voter Information Letter.
- c) The Internet or Telephone voting Service Provider, will allow the eligible voter to vote using a telephone or the internet.
- d) Following the voter's selection, the voting system response shall identify the voter's choice and provide the voter with the option of changing or confirming their vote.
- e) The voting system shall enable the voter to decline from voting for an office(s) if he/she wishes to do so.
- f) Once the PIN has been used to complete all assigned races associated with the election it cannot be used again, and further access shall not be granted to the Telephone/Internet Voting service to vote again.

Prior to the system activation, being on October 13, 2026, the auditor or other authorized election official, will generate the confirmation report that contains all candidate names running for an office. The confirmation report will outline the following:

- a) The report displays in real time the sum total of votes cast for each candidate running for an office.
- b) The timing of this report activity ensures that all totals for all candidates, confirms zero (0) votes before the electronic election begins.
- c) The Internet Voting System will be activated unless any of the counts associated with the candidate names do not indicate a zero total, and unless directed otherwise by an election official.

The Intelivote will make available online a list to the clerk and any other appropriate individuals of the Town, of all voters' list individuals who have voted during the voting



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period if such an event has taken place. The names of individuals who have voted will be marked as voted. A list of voters who have voted will be provided or made available to the candidates or their respective scrutineer through the clerk's office or by electronic means by Intelivote at the clerk's discretion. This list shall be provided by Intelivote in real time or as closely as possible to real time.

Intelivote will make available during the course of the election, IDs and passwords for candidates and their scrutineers, who when using this authorization can connect to a Candidate module to review voter's list information previously identified by them to recognize participants in the election. This capability does not provide the candidate or their designate information on how a voter has voted, only if they have voted in the election. A voter who has voted at least one race during an election is considered a participant.

Candidates or their scrutineers may view this information any time after the start time of the election.

Where a voter is associated with multiple properties within the Town, the voter may vote only once, and the qualifying address to determine eligibility for voting shall be the place of residence of the voter. All duplication of names on the Preliminary List of Electors shall be verified by the clerk and/or election official(s), and all duplicate names of individuals shall be deleted prior to the final preparation of the voters' list. Should a voter receive more than one Voter Information Letter, the voter may only vote once and must return the other document(s) to the Municipal Administration Office. All voters that vote more than once or who improperly use the Voter Information Letter shall be reported to the Ontario Provincial Police for further investigation as to possible corrupt practices under the Municipal Elections Act, 1996.

Should a Voter Information Letter be returned to the Municipal Administration Office unopened, the PIN status will be disabled by an election official in a manner that prevents the PIN from being successfully validated in the voting process. The Voter Information Letters will then be marked "unused" and be retained in a secure means and subsequently destroyed at the same time as all other Municipal Election material as provided for under Section 88(2) of the Municipal Elections Act, 1996.

Should a Voter Information Letter be returned to the Municipal Administration Office that has been opened but has not been used for voting purposes, the PIN status will be disabled by an election official in a manner that prevents the PIN from being successfully validated in the voting process. In this circumstance, the Voter Information Letter shall be marked unused and be retained and destroyed as in item 8 above.

The clerk and the election official(s) shall ensure a complete audit trail is maintained of all Voter Information Letters:

- a) that were sent to voters on the voters' list;
- b) that were undeliverable and returned from the Post Office;
- c) that were returned by a voter or other individual(s) either opened or unopened but unused for voting purposes;



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- d) that were re-issued to an eligible elector;
- e) whose PIN on the Letters were set to a status that prevented them from being validated in the voting process.
- f) Where an eligible voter has attempted to validate his or her PIN and they have determined that the PIN has already been used, the voter can attend the location determined by the clerk, bringing satisfactory identification and have an election official confirm that the PIN has been used by an impersonator.
- g) Prior to authorizing the re-issuance of a new Voter Information Letter which contains a new PIN, the voter shall be required to respond and answer any and all questions from the election official. The election official shall document, to his or her satisfaction, questions and answers of the voter and, if deemed appropriate, the clerk shall submit same to the Ontario Provincial Police for further investigation and prosecution.
- h) If the election official believes that all questions have been answered truthfully and to their satisfaction, the election official may authorize the provision of a new Voter Information Letter which contains a new PIN or, at the discretion of the election official the elector will be required to make a declaration as to their statement and take an oath which shall be given by the election official. A copy of this declaration shall also be submitted to the Ontario Provincial Police should further questioning be required in order to ascertain if corrupt practices have occurred. The elector will be required to assist and cooperate in the investigation in determining the individual(s) who has fraudulently used the voter's assigned PIN.
- i) Once the voter has properly answered all questions and if required, taken the prescribed oath, a new Voter Information Letter containing a new PIN can be issued.
- j) Where an eligible voter has received an incorrect Voter PIN in terms of school support association, the voter can contact the Voter Assistance Centre and have the proper information applied to the existing PIN. The voter may re-access the system and vote all races not yet completed.

New PIN(s) shall not be given out over the telephone or by mail without the expressed approval of the clerk or their designate. A Voter Information Letter containing a PIN shall not be given to any person at the Voter Assistance Centre(s) unless satisfactory identification is provided and the individual has taken the required oath, if required, as administered by an election official.

### Voting Process

1. Eligible voters may vote by:
  - a) accessing the telephone number provided by using a touch-tone telephone - but not a rotary dial telephone. "Digi-pulse" telephones will be able to access the system if the telephone over-ride button is set to a "touch-tone" mode. Should the preceding not be done correctly, the interactive response system will provide an error message requesting that the eligible elector obtain assistance,



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b) accessing the internet address provided by using an internet connected device.

c) Attending a Voter Assistance Centre during the following hours:

Tuesday October 13, 2026	10:00 a.m. – 4:30 p.m.
Wednesday October 14 – Friday October 16, 2026	8:30 a.m. – 4:30 p.m.
Monday October 19 – Friday October 23, 2026	8:30 a.m. – 4:30 p.m.

and using a touch-tone telephone or the internet access provided. Any telephone provided at the Voter Help Centre shall delete any display options on the telephone.

d) Attending a Voter Help Centre during hours identified in paragraph (c) with a support person, taking the appropriate oath(s), and having a support person vote using a touch tone telephone or the internet access provided. In the absence of a support person, the voter may request the assistance of an election official, who may provide assistance only after the appropriate oath, if required, has been taken.

e) Attending a Voter Help Centre during hours identified in paragraph (c) with an interpreter, taking the appropriate oral oath(s), and voting using a touch-tone telephone or the internet access provided.

f) With the assistance of an election official(s) that will be present at the following institutions and retirement homes on the specified date(s) and hours:

<b>Retirement Home or Institution</b>	<b>Date</b>	<b>Hours for Assistance</b>
Georgian Village	TBD	TBD
Bayfield House Retirement Lodge	TBD	TBD
Waypoint Centre for Mental Health Care	TBD	TBD

### 1. Security

An eligible voter may only vote once in the Town of Penetanguishene during the 2026 Municipal Election, regardless of the number of properties they may own and/or lease or the number of voting methods available to them.

A predefined security protocol is adhered to during the entire Municipal Election period. This protocol ensures access control to the status of the election is only available to the Clerk and persons authorized by the Clerk.

The Internet and Telephone Voting System is subject to strict logic and accuracy testing using a predefined set of Ballots, which are cast with a known outcome. This is then compared to the actual vote counts to ensure complete confidence in the accuracy of the voting system. The thorough logic and accuracy phase allows Election Officials to review the full voting process prior to the opening of the voting.

At the completion of the logic and accuracy testing, the entire voting system is locked down prior to the start of the Voting Period. No system, code or configuration changes can occur during the lockdown or once voting has started.



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The voting system is hosted by the Internet and Telephone Voting System Provider within their own data centres' environment, which undergoes continuous and rigorous penetration prevention testing.

The Internet Voting System prevents the casting of multiple Ballots via the internet. Once a PIN is used to cast a Ballot, it is flagged by the system and the voter is immediately struck off of a real-time electronic Voters' List. This ensures that an Eligible Voter cannot obtain another Ballot online by attending the Voter Assistance Centre or Voting Place.

At the time a Ballot is cast, the Internet Voting System records the action in the database, and an audit record of the Ballot is created. The system will also capture unique identifiers, such as IP addresses, which are never connected to personally identifiable information, and are used for the sole purpose of monitoring for suspicious activities.

## **2. System**

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

- a) ensuring that every eligible elector on the voters' list is mailed, a sealed Voter Information Letter which contains the voter's unique PIN;
- b) ensuring that no one except the Internet Voting vendor, the Clerk of the Town or designate, maintains a list of Personal Identification Numbers that matches each voter's name and address; and
- c) providing an opportunity for eligible electors who do not appear on the voters' list to be added to the list, or to make amendments to the list, up to and including October 26, 2026 by 8:00pm.

The voting system shall be tested on several occasions. The test(s) shall include, but not be limited to the following:

- a) checking the wording of the script;
- b) checking the Voter Assistance Centre and Voting Places for internet access;
- c) checking Script and input timing;
- d) attempting to use a PIN more than once;
- e) balancing a predetermined number of votes with those cast
- f) matching PINs to names and addresses;
- g) checking the system which is used for activating PINs; and
- h) deliberately entering the wrong information.

All certified candidates are to provide to the clerk the proper pronunciation of their name, in English and, in French if applicable, no later than August 19, 2026.

## **3. Results**

The Town of Penetanguishene shall keep its public internet and telephone voting open until 8:00 p.m. on October 26, 2026.

The clerk of the Town, at 8:00 p.m. on October 26, 2026, shall request the close and deactivation of the Telephone/Internet Voting service and shall also request the



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tabulation of the results for each candidate. The final results of each candidate and school support, and polling subdivisions the Clerk shall, as soon as possible after Voting Day, at the Municipal Office 10 Robert Street West, Penetanguishene, ON L9M 2G2:

- i) declare the candidate or candidates, as the case may be, who received the highest number of votes to be elected.
- ii) declare the result of any vote on a by-law or question.

The Clerk shall report the “unofficial” results when received from the Intelivote as soon as practicable after 8:00 p.m. on October 26, 2026 at Election Headquarters located at James Keating Elementary School, 20 Lorne Avenue, Penetanguishene, ON, L9M 1B2.

The “Official Results” of each candidate shall be available at the Municipal Office as soon as possible after Voting Day. Also, the Clerk shall post the “Official Results” on the Town of Midland website.

Notice shall be provided to the County of Simcoe with regard to the final number of electors and elected persons to the positions of Mayor who will be serving as County Councillors, as well as the alternate member pending the required appointment by-law being passed.

Notice of election results for each school board race shall be provided to the responsible Municipal Office for each of the elections.

#### **4. Tie Vote – Recount Procedures**

In the case of a tie vote, as provided under Section 56 of the Municipal Elections Act, the clerk of the Town shall request from the Internet or Telephone voting Service Provider a re-tabulation of the votes cast.

Pursuant to Subsection 56(2) of the Municipal Elections Act, the recount shall be held within fifteen (15) days after the clerk’s declaration of the results of the election, and therefore the recount shall occur on or before November 10, 2026 at the Municipal Administration Office located at 10 Robert Street West, Penetanguishene, ON.

Pursuant to Subsection 61(1) of the Municipal Elections Act, the following persons will be authorized to attend the recount:

- i) the clerk and any other election official appointed by the clerk for the recount procedure including the Municipal lawyer;
- ii) every certified candidate for the office;
- iii) the lawyer for each of the candidate(s); and
- iv) only one (1) scrutineer for each of the candidate(s).

Within 15 days after the declaration of the election results, the clerk shall request the Internet or Telephone voting Service Provider to re-tabulate the results for the office(s) that are subject to the recount procedure. The Internet or Telephone voting Service



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Provider shall send the results of the recount by electronic mail (E-mail) and these results will be compared to the results tabulated by the Auditor assigned to the election.

The clerk shall announce the results of the recount and in the event of a tied vote, subsection 62(3) of the Municipal Elections Act shall apply, being as follows:

*“If the recount indicates that two or more candidates who cannot both or all be declared elected to an office have received the same number of votes, the clerk shall choose the successful candidate or candidates by lot”.*

In the event that a tied vote occurs after the statutory recount, the following procedure shall be used and applied:

- a) The clerk shall determine the texture and quality of the paper used for this process and each candidate or the candidates' lawyer and/or scrutineer will have an opportunity to examine the paper to be used to inscribe the names of the candidates;
- b) The clerk shall inscribe the name of each candidate on a similar size paper and the candidates, the candidates' lawyer and/or scrutineer, without touching the paper, examine the same. In addition, all persons present will have an opportunity to examine the box which will be used for conducting the lot;
- c) Upon acceptance by the all candidates, the candidates' lawyer and/or scrutineer, that the processes outlined in paragraphs a) and b) have been adhered to, the clerk shall fold the papers bearing each candidate's name twice in two (2) equal parts and shall deposit these papers, in full view of all persons present and authorized to attend, in an open-end box that will be acceptable to all persons present. In the event of a conflict or difference of opinion as to the selection of the box, the clerk shall determine the box to be used for this process.

Upon completion of this process, the clerk shall hold the box and, without looking into the box, ensure that the contents have been displaced sufficiently, and request the Municipal lawyer to draw only one (1) or the required number for the purpose of determining the successful candidate(s).

The Municipal lawyer shall hand directly to the clerk the selected and required number of papers and the clerk shall read aloud the name of the candidate or candidates and proceed to declare this or these individuals elected.

Once completed, the Municipal lawyer shall remove the remaining contents from the box and provide an opportunity for all persons present to examine these slips of papers including the box.

### **5. Emergencies**

Pursuant to the Municipal Elections Act, 1996, Section 53, an emergency shall be declared in the event of a flood, fire or power failure in the municipality; acute illness or accident of the clerk/returning officer or assistant returning officer which prevents them from conducting the election pursuant to the Municipal Elections Act.



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In the event of an emergency, the clerk/returning officer shall advertise on radio and television stations if possible, and post notices on the municipality's website, to the extent possible, that the election has been delayed.

In the event of an emergency, the Internet and Telephone Voting Service Provider under direction from the clerk/returning officer, shall stop the system provider from accepting calls via a telephone and connections from the Internet, thus preventing the election from continuing, or starting, as the case may be.

In the event the clerk/returning officer or assistant returning officer is unable to be present to conduct procedures on voting day, there shall be a substitute qualified person appointed or available to attend to the election details.

### **6. Accessibility**

The Internet Voting System is compliant with WCAG 2.0 Level AA guidelines, which meet requirements of the Accessibility for Ontarians with Disabilities Act (AODA).

The Clerk shall have regard for the needs of candidates and electors with accessibility requirements. The Clerk shall ensure the Voter Assistance Centre and Voting Places are accessible to candidates and electors with accessibility requirements.

The Clerk shall prepare a report to be submitted to the Council 90 days after Voting Day about identification, removal, and prevention of barriers that affect voters and candidates with accessibility needs.

Election officials will be available for assistance during the Voting Period and on Voting Day. The Town has an Accessibility Policy, and the municipal election will be conducted with having regard to the policies as established.

## **Ballot Voting**

### **1. Overview**

Paper Ballots shall include a space suitable for marking of the ballot in the shape of an oval, to the right of each Candidate's name. This section applies with necessary modifications to ballots for by-laws and questions. The Clerk shall provide a vote tabulator at the polling station. A tabulator being an electronic vote-counting device that reads, records, and tabulates votes marked on paper ballots and produces vote totals for an election.

### **2. Programming of the Vote Tabulators**

The vote tabulator shall be programmed so that a printed record of the number of votes cast for each candidate can be produced. It shall be programmed so that the following ballots are returned to the designed election official:

- a) a ballot without votes in any of the specified voting spaces as determined by a vote tabulator (message will read "BLANK VOTED")
- b) a ballot that is damaged or defective or has been marked in such a way that it cannot be properly processed by a vote tabulator (message will read "BALLOT NOT READ")



- c) a ballot that has one or more over voted race (message will read "OVER VOTED")
- d) a ballot that jams on entry to or exit from the ballot reader with the message "BALLOT NOT READ PLEASE RE-INSERT" or "COUNTED BALLOT JAMMED IN READER." The designated election official must follow the appropriate instruction. Do not re-insert a ballot that has been counted. Clear a read ballot from the reader and put it in the ballot box. Maintain the secrecy of the vote at all times.

### 3. Testing of the Vote Tabulators

Prior to voting day, the Clerk or designate shall test the vote tabulators to ensure that they will accurately count the votes cast for all candidates, by-laws and questions.

When testing the vote tabulator, adequate safeguards shall be taken to ensure that the system or any part of it that is used for processing and tabulating votes is isolated from all other applications or programs and that no remote devices are capable of gaining access to the vote tabulator. The test shall be conducted by:

- a) loading the memory cards into the vote tabulators,
- b) tabulating a pre-audited group of ballots including ballots that fall into each of the categories of ballots described in clause 2 (A) (B) & (C) and ballots on which are recorded a predetermined number of valid votes for each candidate and on each by-law and question; and,
- c) comparing the output of the tabulation against the pre-audited results.

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

If the Clerk or designate detects any error in the test, the cause of the error shall be ascertained and corrected and the test repeated until an errorless count is made.

- i) The Clerk shall retain and may have access to the pre-audited group of ballots referred to in clause 3 (b) and other materials used in the programming of the vote tabulators.
- ii) The Clerk shall not alter or make changes to the materials referred to in subsection 3 (b).

### 4. Tabulator Procedure at the Voting Place

At the voting place an election official shall, in the presence of all scrutineers (if any), cause the vote tabulator to print a copy of all totals in its memory card one hour or less before the opening of the voting.

If the totals are zero for all candidates, the election official shall ensure that the zero printout remains affixed to the vote tabulator until the results are printed by the vote tabulator after the close of the vote.

If the totals are not zero for all candidates, the election official shall, immediately notify the Clerk and shall conduct the vote using the back-up compartment of the ballot box until the vote tabulator is made operational or the Clerk provides a back-up tabulator at the voting location.



### 5. Returned Ballots

If a ballot described in subsection 2 (i.e. unvoted, damaged, over voted, invalid or defective ballot) is returned by the vote tabulator and the voter who delivered the ballot is present, the election official shall:

- a) in the case of an unvoted ballot, advise the elector that they have the option to return to the voting area to complete the ballot;
- b) in the case of a damaged, invalid or defective ballot direct the elector back to the DRO and the DRO shall mark the ballot "cancelled", place the ballot in the "cancelled ballot" envelope and provide another ballot to the voter.
- c) In the case of an over voted race, advise the elector that they have the option of obtaining another ballot and returning to the voting area to complete the new ballot (the old ballot shall have the word "cancelled" written on it by the election official and shall be returned to the DRO who is issuing the ballot).

If a ballot described in subsection 2 is returned by the vote tabulator and the voter who delivered the ballot is present and declines to accept another ballot, the election official shall override the ballot so that the tabulator accepts the ballot. If the ballot cannot be overridden, the election official will mark the ballot "declined" and return it to the DRO who issued it.

If a ballot described in subsection 2 is returned by the vote tabulator and the voter who delivered the ballot is not present, the election official shall mark the ballot "defective" and insert the ballot into the back-up compartment of the ballot box.

After the close of the voting, and in conjunction with the DRO:

- a) where there are no marks in the specified voting spaces, the election official will override the ballot for acceptance by the tabulator. Should the tabulator still fail to accept the blank ballot in override mode, the election official shall mark the blank ballot "declined" and return it to the DRO who assigned it for accounting purposes.
- b) where there are marks in the specified voting spaces, the DRO will prepare a replacement ballot for the defective ballot by duplicating the marks shown on the defective ballot to the replacement ballot. The replacement ballot shall be clearly labeled "replacement" and given a number which number shall also be recorded on the defective ballot,
  - i) substitute the replacement ballot for the defective ballot and tabulate it, and,
  - ii) for accounting purposes, the DRO who provided the replacement ballot will place the defective ballot into the appropriate envelope.

### 6. Duties and Responsibilities of Election Staff

The Clerk may assign a Poll Clerk, in addition to the Deputy Returning Officer (DRO), to initial a ballot before the ballot is delivered to a voter. The DRO or a Poll Clerk shall provide a secrecy folder to each person to whom an initialed ballot is provided at the same time as the ballot is provided. Upon receiving the ballot and secrecy folder, the voter shall:

- a) Proceed to the voting compartment; and,



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- b) using the ballot-marking pen provided, vote by filling in the oval to the right of the candidate(s) of their choice or for the answer to any by-law or question.

After marking the ballot in the voting compartment, the voter shall:

- a) insert the ballot into the secrecy folder
- b) leave the compartment without delay; and,
- c) deliver the secrecy folder containing the ballot to the Election Official at the assigned to a tabulator.

The Election Official Assigned to the Tabulators shall:

- a) in the presence of the voter and without removing the ballot from the secrecy folder, verify the initials of the Deputy Returning Officer; and
- b) if a vote tabulator is available in the voting place, insert the secrecy folder containing the ballot, with the initials of the DRO face down, into the feed area of the vote tabulator until the voter tabulator draws the ballot from the secrecy folder in full view of the voter; or, if a vote tabulator is not available in the voting place, insert the ballot, with the initials of the DRO face down, directly into the back-up ballot box from the secrecy folder in full view of the voter.

### **7. Advance Voting and Early Closing of Voting Places**

The total of the votes counted at institutional voting using a ballot that closes early under subsection 46 (3) of the Act shall not be printed and the procedures under section 8 (a) to (f) shall not be followed until after 8:00 p.m. on the voting day. The Clerk will provide adequate security and safekeeping of the tabulator between the institutional voting and Election Day. The tape and memory card for the institutional voting day(s) will be removed from the vote tabulator by the Clerk or designate and the Clerk or designate will provide adequate security and safekeeping of the tape and memory card until the close of poll on voting day, at which time the tape and memory card containing the institutional vote tabulations will be placed back in the vote tabulator and the required procedures under Section 8 will be followed.

### **8. Closing the Voting Place on Election Day**

If a vote tabulator has been used to tabulate the votes cast in a voting place, the Election Official assigned to the tabulator shall, after the close of the voting, check the back-up compartment of the ballot box for ballots to ensure all votes are tabulated. Once all votes are tabulated including those mentioned in Section 5 (b) the Election official assigned to the tabulator shall:

- a) secure the vote tabulator against receiving any more ballots by inserting the voter ender card;
- b) obtain a printed record of the votes given for each candidate
- c) sign the certificate portion of the printed record along with the Head DRO and any scrutineers who are present and wish to sign and give it to the Head DRO;
- d) remove the printed record from the vote tabulator and place it in the statement envelope;



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- e) notify the Clerk or designate at the Town of Penetanguishene of the results
- f) only after results are called in, provide printouts for any scrutineers upon request;
- g) under supervision of the Head DRO, collect all completed DRO Statements of Ballot Account for return to the Clerk or designate which include:
  - i) ballots received from the Clerk;
  - ii) ballots issued;
  - iii) cancelled ballots;
  - iv) declined ballots;
  - v) defective ballots;
  - vi) unused ballots;
- h) provide the Head DRO with the number of ballots counted by the vote tabulator;
- i) the Head DRO will place the original copy of the DRO's Statements in the statements envelope as well as the Vote Summary Totals Tape from the Tabulator;
- j) place a duplicate copy of the statements and in the ballot box;
- k) place in separate envelopes:
  - i) cancelled and declined ballots;
  - ii) defective ballots;
  - iii) unused ballots;
  - iv) seal the envelopes;
- l) excluding the statement envelope, place all other sealed envelopes in the ballot box and seal the ballot box; and,
- m) the election official assigned to a tabulator shall personally deliver the ballot box, vote tabulator and statement envelope and remaining supplies to the Office of the Clerk or to such other place as the Clerk has directed.

Pursuant to Subsection 55(4) and subject to the provisions of Section 56 of the Municipal Elections Act, 1996 concerning "Recount", the Clerk shall on October 27, 2026 at 10:00 am at the Municipal Administration Office located at Town of Penetanguishene Town Hall:

- a) declare the candidate or candidates, as the case may be, who received the highest number of votes to be elected.

The "Official Results" of each candidate shall be available at the Town of Penetanguishene Town Hall on October 27, 2026. Also, the Clerk shall post the "Official" results on the Town's website and social media platforms thereafter.

### 9. Tie Vote – Recount Procedures

Subject to the order of a Judge under Section 58 of the Act, if a recount of votes is held, the votes shall be recounted in the same manner as the votes were counted on voting day. A vote tabulator shall be tested before the recount in the manner described in sections 8 and 9 so far as practicable.



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The Clerk or their designate shall attend the recount and bring the ballot boxes, vote tabulators, statement envelopes and all documents that, in the opinion of the Recount Officer, are relevant to the recount.

If a vote tabulator is used for a recount, the recount is limited to the ballots tabulated by a vote tabulator on voting day.

Subject to an order of a Judge under Subsection 60(3) of the Act, if a vote tabulator is used for a recount, those persons referred to in paragraph 2, 3 or 4 of Subsections 61(1) or 61(2) will be unable to examine the ballots or to dispute the validity of a ballot or the counting of votes in a ballot as provided for in Subsection 61(5) of the Act, as the ballots are being fed into the vote tabulators by the Election Officials.

For the purposes of subsection 9(9.7) (a), "results of the election" means:

- a) In the case of an election to an office, which candidate or candidates have been declared elected.

The result of a recount using a vote tabulator is final and no further recount shall take place, unless:

- a) the recount changes the outcome of the election, as declared by the Clerk under subsection 55 of the Act; or,
- b) a Judge makes an Order under Section 58 of the Act requiring a recount to be held.

If clause 9 (b) applies, the Clerk or their designate shall conduct a manual recount following as far as practicable the provisions of the Act governing the counting of votes and, subject to a Judge's order, shall recount only those voting subdivisions where the count at the recount differs from the count on voting day.

The manual recount shall be a recount of all the original ballots received.

### **10. Equipment Failure & Emergency Planning**

In the event that a vote tabulator malfunctions during the voting process, the Clerk will, if possible, substitute the faulty equipment with another "spare" vote tabulator. The following steps are to be performed in order to smoothly and quickly replace the faulty equipment and resume regular voting activities:

- a) Until the substitute equipment is in place, the AV Supervisor shall manually insert ballots into the back-up ballot box as described in subsection 5 (b). At no time should an elector be prevented from casting their ballot.
- b) The Election Official assigned to a tabulator shall pack up the faulty equipment and set up the substitute vote tabulator. In an effort to expedite the replacement, the election official who delivered the replacement tabulator may assist in packing up the faulty equipment.
- c) The election official assigned to a tabulator shall turn on the replacement vote tabulator and print, verify and sign the zero totals report, as was done prior to the opening of the poll.



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- d) Once it is verified that the replacement vote tabulator is operational, the ballot box containing any ballots which were processed through the faulty equipment should be sealed and set aside in a secure location until the close of the poll. Ballots which were manually inserted into the back-up ballot box marked "back-up ballot box" during the "equipment malfunction/swap" are to be sealed and set aside in a secure location until the close of the poll. These manual ballots will be fed through the vote tabulator after the close of the poll.
- e) A new, empty ballot box is used to accept ballots that are fed through the replacement equipment for the remainder of the day.
- f) The procedures set out in Section 8 shall be followed once the ballots referred to in subsection 10(10.1) (d) have been fed through the vote tabulator.
- g) If substitute equipment is not available, ballots should be manually inserted into the ballot box throughout the day as described in subsection 5 (b) and at the close of the Poll:
  - i) the Election official assigned to a tabulator or election assistant shall follow with necessary modifications the procedures in clauses 10 (a), (c) and (d); and
  - ii) the Clerk, or a person designated by the Clerk, shall with necessary modifications follow the procedures in clauses 10 (e) to (g).

If a vote tabulator has been used to tabulate votes cast in a voting place but the tabulation of the votes cannot be completed because the vote tabulator is not operating or cannot be made to operate within a reasonable time following the close of the voting, the election official assigned to a tabulator or an Election Assistant shall, after the close of the voting and after determining the tabulation cannot be completed:

- a) seal the ballot box in such a manner that it cannot be opened or any ballots be deposited in it without breaking a seal;
- b) secure the vote tabulator against receiving any more ballots;
- c) place all supplies and all cancelled, declined, defective and unused ballots in the transfer carrier/box provided and seal it;
- d) personally deliver the ballot box, transfer carrier/box and vote tabulator to a place designated by the Clerk where a back-up vote tabulator is located;
- e) the Clerk or designate shall then follow the procedures set out in Section 4 to ensure that the totals of the back-up vote tabulator are zero for all candidates, by-laws and questions;
- f) insert all the ballots from the ballot box and back-up ballot box into the back-up vote tabulator; and,
- g) follow the procedures in subsection 8(8.1).

If, at the close of the voting, the Clerk is of the opinion that it is impracticable to count the votes with the vote tabulators, they may direct that all the votes cast in the election be counted manually following as far as practicable the provisions of the Act governing the counting of votes.



## **11. Accessibility**

The Clerk shall have regard for the needs of candidates and electors with accessibility needs. The Clerk shall ensure the Voter Assistance Centre and Voting Places are accessible to candidates and electors with accessibility needs

The Clerk shall prepare a Report to be submitted to the Council 90 days after Voting Day about identification, removal, and prevention of barriers that affect voters and candidates with disabilities.

Election officials will be available for assistance during the Advance Voting Period and on Voting Day. The Town of Penetanguishene has an Accessibility Policy and the municipal Election will be conducted with having regard to the policies as established.



### Corrupt Practices

#### Offences, Penalties and Enforcement

##### 1. Corrupt Election Practices – Provincial Offence and Prosecution

Sections 89 and 90 of the Municipal Elections Act provides for penalties and enforcement of corrupt practices and other offences during an election process. Although the Town of Penetanguishene will be using an alternative voting method, being Internet and Telephone voting and use of paper ballots and tabulators, the principles and the integrity of the election process will remain and is enforceable.

Section 89 of the Municipal Elections Act continues by stating:

- a) "A person is guilty of an offence and liable, on conviction, to a fine of not more than \$5,000, if they:
  - i) votes without being entitled to do so;
  - ii) votes more times than this Act allows;
  - iii) votes in a voting place in which he or she is not entitled to vote;
  - iv) induces or procures a person to vote when that person is not entitled to do so;
  - v) having appointed a voting proxy that remains in force, votes otherwise than by the proxy;
  - vi) having been appointed a voting proxy, votes under the authority of the proxy when the elector has cancelled the proxy, is no longer entitled to vote or has died;
  - vii) before or during an election, publishes a false statement of a candidate's withdrawal;
  - viii) furnishes false or misleading information to a person whom this Act authorizes to obtain information;
  - ix) without authority, supplies a ballot to anyone;
  - x) delivers to the deputy returning officer to be placed in a ballot box a paper other than the ballot the deputy returning officer gave him or her;
  - xi) takes a ballot away from the voting place;
  - xii) at an election, takes, opens or otherwise deals with a ballot, a ballot box, or a book or package of ballots without having authority to do so;
  - xiii) attempts to do something described in clauses (a) to (l). 1996, c. 32, Sched., s. 89."

No person(s) shall solicit a Voter Information Letter from an eligible elector. All valid complaints or knowledge of solicitation shall be reported immediately to the Ontario Provincial Police for investigation of corrupt practices.

In addition, under the provisions of Section 90 of the Municipal Elections Act, if a person is convicted of an offence and the offence was committed knowingly, the offence also constitutes a corrupt practice and the person is liable, in addition to any other penalty, for a term or imprisonment not more than six (6) months.

Although many provisions of the Municipal Elections Act also deal with voting places, ballots and ballot boxes, etc. the same must be used interchangeably with alternative



voting since the principle of the Act must be maintained and is therefore enforceable and subject to penalties.

As such, the Municipal Clerk of the Town of Penetanguishene in this alternative form of voting, has agreed to the following rules and regulations:

- a) That, all complaints about actions which may contravene the provisions of the Municipal Elections Act, either verbally or written, will be investigated by the Clerk;
- b) That, all such valid complaints, once investigated to the extent and knowledge of the Clerk, will be submitted to the Southern Georgian Bay detachment of the Ontario Provincial Police;
- c) The Detachment Commander of the Ontario Provincial Police has been advised that all such complaints will be turned over to their office for further investigation;
- d) The Detachment Commander of the Ontario Provincial Police, once the investigation is completed will communicate with the Crown Attorney's Office to determine if an individual(s) will be prosecuted.
- e) The Clerk or any election official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.

## **2. Mail Tampering – Criminal Offence and Prosecution**

The Criminal Code of Canada states that tampering with the mail of an individual is a criminal offence and a person(s) found guilty is liable to a term of imprisonment not exceeding ten (10) years.

Since the Town of Penetanguishene will be using alternative vote methods, that being Internet and Telephone Voting and paper ballots with tabulators, and the notification of the voting process and how electors can access the voting system in order to exercise their right to vote will be completed through the mail, mail tampering is a criminal offence under the Criminal Code of Canada.

As such and in order to ensure the integrity and confidence of the voting process for all electors and the candidates, the Municipal Clerk of the Town of Penetanguishene in this alternative form of voting has agreed to the following rules and regulations:

- a) THAT all complaints about actions which may contravene the provisions of the Criminal Code of Canada with respect to mail tampering, either verbally or written, will be investigated by the Clerk;
- b) THAT all such valid complaints, once investigated to the extent and knowledge of the Clerk, will be submitted to the local detachment of the Ontario Provincial Police;
- c) THE Detachment Commander of the Ontario Provincial Police has been advised that all such complaints will be turned over to his or her office for further investigation;
- d) THE Detachment Commander of the Ontario Provincial Police, once the investigation is completed, will communicate with the Crown Attorney's Office to determine if an individual(s) will be prosecuted.
- e) THE Clerk or any election official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.



### 3. Penalties

Elector (Section 90 (2)) - A person who commits a corrupt practice is, on conviction, disqualified from voting at an election until the next regular election has taken place after the election to which the offence relates, in addition to being liable to any other penalty provided for in the Act.

Candidate (Section 91 (1)) - If a person is convicted of a corrupt practice under the Act, or of an offence under the Criminal Code (Canada) in connection with an act or omission that relates to an election to which the Act applies, then, in addition to any other penalty provided for in the Act:

- a) Any office to which the person was elected is forfeited and becomes vacant; and,
- b) The person is ineligible to be nominated for or elected or appoint to, any office until the next two regular elections have taken place after the election to which the offence relates.

However, if the presiding judge finds that the person committed the corrupt practice or offence under the Criminal Code (Canada) without any intent of causing or contributing to a false outcome of the election, clause b) does not apply.

Individual (Section 94 (1)) - An individual who is convicted of an offence is liable to the following penalties in addition to any other penalty provided for:

- a) For any offence, a fine not more than \$25,000;
- b) For any offence other than a corrupt practice, the penalties described in Subsection 88.23 (2) – Effect of Default by Candidate and 88.27 (1) – Effect of Default by Registered Third Party;
- c) For an offence under Section 90 (Corrupt Practices: Certain Offences Committed Knowingly), imprisonment for a term of not more than 6 (six) months;
- d) For any offence that the presiding judge finds that the individual committed knowingly, imprisonment for a term of not more than 6 (six) months.

Trade Unions (Section 94 (2)) - A corporation or trade union that is convicted of an offence is liable to a fine of not more than \$50,000 in addition to any other penalty provided for.



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## **Related Policies and Procedures**

Intelivote – Disaster Control and Recovery Policy

2026 Municipal Election Accessibility Plan

[CL-2025-05 Voting Method for the 2026 Municipal and School Board Election](#)

[By-law 2017-28 authorizing the use of alternative voting methods for Penetanguishene Municipal and School Board Elections](#)

[By-law 2014-01 regulating the use of Election Signs](#)



### Appendix A: Acceptable Identification

Acceptable Identification includes the following:

1. An Ontario driver's licence
2. An Ontario Health Card (photo card)
3. An Ontario Photo Card
4. An Ontario motor vehicle permit (vehicle portion)
5. A cancelled personalized cheque.
6. A mortgage statement, lease or rental agreement related to property in Ontario.
7. An insurance policy or insurance statement
8. A loan agreement or other financial agreement with a financial institution
9. A document issued or certified by a court in Ontario.
10. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
11. Any document from a Band Council in Ontario established under the Indian Act
12. An income tax assessment notice.
13. A Child Tax Benefit Statement.
14. A Statement of Employment Insurance Benefits Paid T4E
15. A Statement of Old Age Security T4A (OAS)
16. A Statement of Canada Pension Plan Benefits T4A (P)
17. A Canada Pension Plan Statement of Contributions
18. A Statement of Direct Deposit for Ontario Works.
19. A Statement of Direct Deposit for Ontario Disability Support Program.
20. A Workplace Safety and Insurance Board Statement of Benefits T5007.
21. A property tax assessment.
22. A credit card statement, bank account statement or RRSP, RRIF, RHOSP or T5 statement.
23. A CNIB card or a card from another registered charitable organization that provides services to persons with disabilities.
24. A hospital card or record.
25. A document showing campus residents, issued by the office or officials responsible for student residence at a post-secondary institution.
26. A document showing residents at a long-term care home under the Long Term Care Homes Act, 2007, issued by the Administrator of the home.
27. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission.
28. A cheque stub, T4 statement or pay receipt issued by an employer.
29. A transcript or report card from a post-secondary school.



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### Appendix B: Forms

The following is a list of Forms available for the purpose of the municipal election as inserted into this Manual as they become available.

Form #	Form Name
Form 1	Nomination Paper
Form 2	Withdrawal of Nomination
Form 3	Notice of Collection/Consent to release personal information
Form 4	Financial Statement
Form 5	Declaration of Qualifications – Council
Form 6	Declaration of Qualifications – School Board Trustee
Form 7	Notice of Nomination
Form 8A	Notice of Nomination – School Board Trustee
Form 8B	Notice of Nomination – School Board Trustee (French)
Form 9	Unofficial List of Candidates
Form 10	Notice of Rejection of Nominations
Form 11	Official List of Certified Candidates
Form 12	Notice of Additional Nominations
Form 13	Voters' List Cover Sheet
Form 14	Notice of the Posting of the Voters' List
Form 15	Declaration of Proper Use of the Voters' List
Form 16	Policy of Use of the Voters' List
Form 17	Interim List of Changes
Form 18	Certificate of the Voters' List
Form 19	Final List of Changes
Form 20	Application to Amend the Voters' List
Form 21	Application for Removal of Another's Name from the Voters' List
Form 22	Oath of Returning Officer
Form 23	Appointment and Oath of Election Officials
Form 24	Delegation of Powers and Duties of the Clerk
Form 25	Appointment and Oath of a Constable
Form 26	Appointment of Scrutineer
Form 27	Oral Oaths of Help Centre
Form 28	Oral Oath of Secrecy
Form 29	Declaration of Election Results
Form 30	Declaration of Acclamation to Office
Form 31	Notice of Recount
Form 32	Declaration of Recount Results
Form 33	Witness Statements as to Destruction of Records
Form 34	Letter of Financial Institution – Campaign Account
Form 35	Notice of Penalties and Corrupt Practices
Form 36	Estimated Maximum Campaign Expenses
Form 37	Estimated Maximum Campaign Expenses – English Public School Board
Form 38	Certificate of Maximum Campaign Expenses



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Form 39	Notice to Candidate of Filing Requirements
Form 40	Notice of Default
Form 41	Re-Issue of a Voter Information Letter (Lost and Unused)
Form 42	Re-Issue of a Voter Information Letter (Imposter)
Form 43	Activation of ScytI Canada Inc.