

Municipality of Leamington
2026

CLERK'S ELECTION PROCEDURES

Municipal and School Board Election

VOTE



Municipality of
Leamington
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I, Brenda M. Percy, Clerk of the Municipality of Leamington,
do hereby certify the following procedures for
conducting the 2026 municipal election.

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Part 1 - General

1. Authority

- 1.1. The Municipal Elections Act, 1996 (the “MEA”) states that the Clerk shall establish procedures and forms for the use of any voting and vote-counting equipment. The procedures shall be consistent with the principles of the MEA, and if consistent, shall prevail over anything in the MEA and regulations made under it.
- 1.2. By-law 100-25, being a By-law to Authorize the Use of Optical Scan Vote Tabulators and Accessible Voting Equipment for the 2026 Municipal Elections, adopted pursuant to section 42 of the MEA, authorizes the use of vote counting equipment for the 2026 Municipal and School Board Election.
- 1.3. The Clerk, pursuant to section 12 of the MEA, may provide for any matter or procedure that is not otherwise provided for in the MEA, or its regulations, and that is necessary and desirable for conducting the Election. The Clerk may establish forms or oaths and require the use of such forms or oaths.

MEA Reference(s): section 12, 42

2. Application

- 2.1. These procedures have been developed under the authority of the MEA and shall be applied to the conduct of the 2026 Municipal and School Board Election in the Municipality.
- 2.2. Election, policies, procedures, and decisions made in the conduct of the Election shall be conducted in accordance with the following principles:
 - a) The secrecy and confidentiality of the voting process is paramount;
 - b) The election shall be fair and non-biased;
 - c) The election shall be accessible to the voters;
 - d) The integrity of the voting process shall 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 shall be treated fairly and consistently; and
 - g) The proper majority vote governs by ensuring that valid votes are counted and invalid votes are rejected so far as reasonably possible.

MEA Reference: section 12

3. Interpretation

- 3.1. Reference to items in the plural include the singular, as applicable. “They” or “their” may refer to both the singular and the plural and includes references to an individual or thing that is feminine, masculine or non-binary.
- 3.2. The words "include", "including" and "includes" are not to be read as limiting the phrases or descriptions that precede them. Any examples provided are intended to be representative examples and not intended to be an exhaustive list.
- 3.3. Headings are inserted for ease of reference only and are not to be used as interpretation aids.
- 3.4. Specific references to laws or by-laws are meant to refer to the current laws applicable at the time that this by-law was enacted and shall be interpreted to include amendments, restatements and successor legislation.

4. Accessibility

- 4.1. Please refer to Leamington’s 2026 Municipal Election Accessibility Plan located on the Municipality’s website.

5. Election Officials

- 5.1. The Clerk will appoint in writing additional persons to serve as Election Officials, including Deputy Returning Officers, to carry out various tasks and responsibilities associated with the conduct of the Election.
- 5.2. Election Officials shall take an oath before commencing any responsibilities in connection with the Election, which oath shall include a statement that the Election Official uphold the principles of the MEA.
- 5.3. Election Officials shall be provided with the training and materials as required to fulfill their responsibilities in connection with the Election.

MEA Reference: section 15

Related form: Appointment and Oath of an Election Official

6. Offences and Corrupt Practices

- 6.1. The MEA sets out a number of offences and corrupt practices which are prohibited.
- 6.2. Complaints of offences or corrupt practices shall be directed to the Clerk who shall direct the complaints to the Ontario Provincial Police – Leamington Detachment Crime Unit.

MEA Reference(s): section 89 –94. 2.

7. Definitions

Advance Vote means the time during the Voting Period in which Electors may cast a Ballot before Voting Day in an election, as established by the Clerk under the authority of section 43 of the MEA. In the 2026 Election, Advance Vote days are October 10, 17 and 21, 2026.

Advance Voters' List means the list produced by the Clerk after the close of each day of the Advance Vote showing the name of each person who has voted on that Advance Vote day.

Appointment for Voting Proxy Form means the current prescribed form to legally appoint someone to be their Proxy (Form 3).

Ballot means either an image on a computer screen or an approved piece of paper which includes the names of all Candidates and the office they are running for, as well as spaces in which the Electors mark their votes.

Ballot Box means a box which contains a compartment in which voted Ballots are received after tabulation by the Vote Tabulators. There is a separate compartment (Auxiliary Compartment) for the insertion of Ballots that have not been tabulated in the event of failure of the Vote Tabulator and which the compartment serves as the platform for the Vote Tabulator.

Ballot Box – Institution means the Ballot Box used for collection of Ballots at Institutions prior to the tabulation.

Ballot Marking Pen means the pen provided to the Voter by an Election Official for the purpose of marking a Ballot within the Defined Areas on the Ballot.

Candidate means a Candidate whose nomination has been certified by the Clerk pursuant to section 35 of the MEA.

Clerk means the Clerk of the Municipality who is responsible for conducting the election under the authority of the MEA. All references to Clerk for the purpose of these procedures shall mean the Returning Officer for the 2026 Municipal Election.

Defined Area means the area within a circle, oval, or other enclosed geometric shape that is filled in by the Elector in order to cast a vote.

Election means the 2026 Leamington regular municipal election for Mayor, Deputy Mayor and Council Members for the municipal council and the trustees for school boards for which Leamington is responsible for

conduct of the Election as determined pursuant to O. Reg. 412/00 to the Education Act, R.S.O. 1990, c. E.2.

Election Definition Media Stick means a flash device that is inserted and removed from the Tabulator in order to collect and store tabulated total votes.

Election Official includes, but not limited to the Clerk, Deputy Clerk, Election Specialist, Supervisor/Deputy Returning Officer, Ballot Officer, Tabulator Officer, Revisions Officer, Greeter, and such other persons appointed in writing by the Clerk and sworn to carry out Election duties.

Elector means a person who meets the qualifications to vote as determined by section 17 of the MEA and appears on the Municipality's Voters' List or is added to the Voters' List during the revision period (September 1, 2026, to October 26, 2026).

Institution means a premise that on Nomination Day, occupies 20 or more beds by persons who are disabled, chronically ill or infirm; and a retirement home in which, on Nomination Day, 50 or more beds are occupied.

Logic and Accuracy Testing means a set of procedures performed to ensure that the Tabulator, prior to use during the Voting Period are correctly reading Ballots and accurately counting votes.

MEA means the Municipal Elections Act, 1996, S.O. 1996, C. 32.

Municipal Building means the Leamington Municipal Building located at 111 Erie Street North, Leamington, Ontario.

Municipal Website means www.learmington.ca/election

Nomination Day means the final day on which nominations for office can be filed with the Clerk and is Friday, August 21, 2026.

Nomination Paper means Form 1 prepared by the Ministry of Municipal Affairs and Housing under the MEA. Nomination Paper is to be completed by a person wishing to be a candidate in a municipal or school board election and must be filed with the clerk of the municipality responsible for conducting the election, along with the prescribed fee. Those wishing to be a candidate in the municipal election are required to submit the Endorsement of Nomination (Form 2) as well.

Privacy Sleeve means a folder in which a Ballot may be placed to conceal the names of the Candidates and the marks made by the Elector upon the face of the Ballot but does expose the initials of the Ballot Officer.

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

Proxy means the person appointed on behalf of an Elector as set out in section 44 of the MEA. May also be referred to as “Voting Proxy” in these Procedures.

Recount means an additional count of Ballots following Voting Day as set out in sections 56 to 64 of the MEA.

Relative for the purpose of a Voting Proxy, means the spouses, siblings, parent, child, grandparent, grandchild of the Elector appointed, as defined in section 44(3) of the MEA.

Scrutineer means a person appointed by a Candidate to represent them during voting and at counting of votes, including a Recount.

Status and Zero Tape Report means the printed record generated from a Tabulator before the acceptance of any Ballot at the opening of the Voting Place. It is also the printed record generated from a Tabulator used to tabulate Ballots from Institutions at the Vote Counting Centre, or at the beginning of any Recount procedure, and which indicates as “zero” the number of votes for each Candidate.

Tabulator means an apparatus that optically scans a designated area on the Ballot to read the votes and tabulate the number of votes cast for each Candidate. For the purpose of the Municipal Election, “Tabulator” means the DS200 Poll Place Scanner and Tabulator manufactured for and distributed by ES&S Election Systems and Software. The Clerk shall designate the number of Tabulators in each Voting Place.

Vote Counting Centre means the physical place where the votes will be counted, and final results will be confirmed. The Vote Counting Centre for the 2026 Election will be held at the Municipal Building. Also referred to as the Counting Centre.

Voter Information Letter (VIL) means a letter provided to each Elector on the Voters’ List which provides information for Electors, including voting locations, proxy voting, and Elector ID numbers. Receipt of a VIL is verification that an Elector is on the Voters’ List. Electors are to bring the VIL with them to vote at a Voting Place. Each Elector shall receive a VIL individually or the Election Officials shall provide a VIL to anyone who has applied for inclusion on the Voters’ List and is an eligible elector under the MEA.

Voters' List means the list of Electors produced by Elections Ontario (EO) for each municipality and school board in the Province, as amended by the Clerk.

Voting Booth means the area in the Voting Place where the Elector marks their Ballot in secrecy behind a screened enclosure.

Voting Day means the final day on which an Elector may vote in the Municipal Election and shall be Monday, October 26, 2026.

Voting Period means the period during which Elector may cast their vote.

Voting Place means on Voting Day or, an Advance Vote Day, the premises, including the land forming the property upon which the premises are situated, where Electors are invited to attend to vote. May also be referred to as Voting Location.

Part 2 – Candidates, Scrutineers and Third-Party Advertisers

8. Candidate Nomination Procedure - Filing of Nomination Papers

8.1 Nominations for the offices listed below shall be filed in person on the prescribed Nomination Paper (Form 1). Council Candidates must also submit an Endorsement of Nomination (Form 2) with the Clerk, at the Municipal Building, starting Friday, May 1, 2026, through Thursday, August 20, 2026, during regular business hours and from 9:00 AM to 2:00 PM, Friday, August 21, 2026:

Mayor: 1 position

Deputy Mayor: 1 position

Councillor: 5 positions

Trustee, Greater Essex County District School Board – English Public
Nomination to be filed with the Clerk in Leamington

Trustee, Windsor-Essex Catholic School Board – English Separate
Nomination to be filed with the Clerk in Leamington

Trustee, Conseil Scolaire Catholique Providence – French Separate
Nominations to be filed with the Clerk in Lakeshore

Trustee, Conseil Scolaire Viamonde – French Public
Nominations to be filed with the Clerk of the City of Windsor

8.2 Nominations may be filed by the person seeking election to one of the offices above, or through an agent on behalf of that person. Nomination Papers **may not be filed electronically. Original signatures are required.** A person may be nominated only if, on the day of the nomination, the person being nominated is qualified pursuant to the MEA.

8.3 Nominations can be filed during regular business hours (9:00 AM to 4:30 PM Monday to Friday, except holidays) at the Municipal Building from Friday, May 1, 2026, to Thursday, August 20, 2026, and between 9:00 AM and 2:00 PM on Friday, August 21, 2026 (Nomination Day). Nominations will not be accepted after this time unless the person wishing to file the Nomination Papers are present in the foyer of the Municipal Building at 2 p.m. on Friday, August 21, in which case the person may file their Nomination Papers as soon as possible after 2 p.m. **An appointment with the Clerk is required to file the Nomination Papers.** Please contact the Election Specialist at (519) 326-5761, Extension 1127, to schedule a mutually convenient time.

8.4 If a person is running for municipal council, the person must also submit an original Form 2 – Endorsement of Nominations. The endorsement are 25

original signatures from 25 Electors who are eligible to vote in the municipality (Form 2 – Endorsement of Nominations). School Board Trustee Candidates are not required to submit endorsement signatures.

- 8.5 Persons filing a Nomination Paper are required to provide the prescribed form (Statement of Qualifications), signed by the person being nominated. If a person has been nominated for an office, the first nomination shall be deemed to be withdrawn at the time the second nomination is filed.
- 8.6 The prescribed nomination filing fee is \$200.00 for Mayor or Deputy Mayor and \$100 for all other offices including school board trustees. This fee must be paid to the Clerk at the time the Nomination Paper is submitted (payment by way of cash or debit or money order).
- 8.7 Persons filing a Nomination Paper must provide Proof of Identification, acceptable to the Clerk.
- 8.8 A Candidate's name must appear on the Ballot as it appears on the Nomination Paper. The surname on the identification provided by the Candidate, and the surname on Form 1 must be the same. If the Candidate wishes, and the Clerk agrees, another name that the Candidate also uses may appear on the Ballot instead of, or in addition to, his or her legal name. No reference to a Candidate's occupation, degree, title, honour or decoration shall appear on the Ballot. If the surnames of two or more Candidates for an office are identical, or in the Clerk's opinion, so similar as to cause possible confusion, the Clerk shall differentiate the Candidates on the Ballots as the Clerk considers to be appropriate in the circumstances.
- 8.9 Upon filing, Nomination Paper and Endorsement of Nomination Form become part public record and shall be disclosed to members of the public upon request. Subject to the consent provided on the Candidate's Consent to Release Personal Information form and/or the Freedom of Information (MFIPPA) Release form, some Candidate information is posted on the Municipal Website.
- 8.10 The Clerk shall provide notice of the unofficial list of persons that have filed Nomination Papers by posting on the Municipal Website a list of "Uncertified Candidates" which will be updated every 3 business days with the recent names of those persons who have filed nominations, when possible.
- 8.11 The Clerk may announce the names of persons who have filed nominations by posting on the Municipal Website, or any other communication channels as the Clerk deems appropriate.
- 8.12 To ensure an informed electorate, Candidates are invited to submit a biography as part of their nomination package, on the form provided by the Clerk

(Municipal Election Candidate Biography) and under the rules set by the Clerk. Candidate biographies provide voters with an opportunity to learn more about each Candidate's background, experience, and priorities, in the Candidate's own words. Biographies must follow the standardized format set by the Clerk and will be posted exactly as submitted by the Candidate. The Clerk will not edit, revise, verify or fact-check the content, including grammar, spelling, or punctuation. Responsibility for the accuracy of the information rests solely on the Candidate. Once biographies are submitted they cannot be changed or replaced.

- 8.13 Notwithstanding section 8.12, the Clerk shall reserve the right not to publish a Candidate's biography if it does not comply with the submission guidelines, exceeds the word limit, or contains material that, in the Clerk's opinion, is inappropriate, offensive, defamatory, misleading, or otherwise inconsistent with the Municipality's role as a neutral provider of election information. The Clerk shall not be responsible for the accuracy of the information provided by the Candidate and shall in no way be held responsible for any misleading information submitted.
- 8.14 Candidates must open a bank account exclusively for their campaign if they accept any contributions of money (including contributions from themselves or their spouse) or incur any expenses. Candidates are not required to open a campaign bank account if they do not spend any money and do not receive any contributions of money. If they receive contributions of goods or services, but no contributions of money, they are not required to open a bank account.
- 8.15 In the event that a Candidate's financial institution requires confirmation of nomination in order to open a bank account, the Candidate may use the copy of their Nomination Paper to verify candidacy.
- 8.16 If a Candidate has a question regarding the Election, they can submit their question by email at clerks@leamington.ca. Any election question asked by a Candidate will be shared with all Candidates, with a response to the question. The identity of the Candidate that asked the question will not be revealed. Answers to questions do not constitute legal or accounting advice. Any legal or campaign finance questions should be directed to the Candidate's lawyer or accountant, respectively.

MEA References: section 29(2) 3

Related forms: Nomination Paper – Form 1

Endorsement of Nomination – Form 2

Candidate Consent to Release Personal Information

Municipal Election Candidate Biography Submission

9. Withdrawal of Nominations

- 9.1. Any person that has filed a Nomination Paper and wishes to withdraw their nomination shall submit a written withdrawal to the Clerk in the prescribed form (Withdrawal of Nomination) before 2:00 PM on Nomination Day, Friday, August 21, 2026.
- 9.2. The withdrawal may be filed in person or via an agent authorized to act on behalf of the Candidate.
- 9.3. If a Candidate files a letter of withdrawal after Nomination Day (Friday, August 21, 2026), the Candidate's name will still appear on the Ballot and any votes cast for that Candidate will be counted in the final results.

MEA Reference: section 36

Related forms: Withdrawal of Nomination (EL19)

10. Certification of Nominations by Clerk

- 10.1. After 2:00 PM on Nomination Day (and before 4 pm on the Monday following Nomination Day – Monday August 24, 2026), the Clerk shall examine each nomination filed and if satisfied that the person is qualified to be nominated and the nomination complies with the MEA, the Clerk shall certify the nomination. **The Clerk's decision is final.**
- 10.2. If a person is not qualified to be nominated or the nomination does not comply with the MEA, the Clerk shall reject the nomination. If a nomination is rejected, that Candidate, and all persons who filed a nomination for that office, will be notified via regular or by email or phone call.
- 10.3. The "Certified List of Candidates" will be posted by Monday, August 24, 2026, by 4:00 PM on the Municipal Website.

MEA Reference: section 35

11. Scrutineers

- 11.1. A Candidate may appoint one or more Scrutineer, per Tabulator to represent them at:
 - Logic and Accuracy Testing of the Tabulators;
 - Voting Places during Advance Voting Day(s) and Voting Day; and
 - at the Vote Counting Centre on Voting Day.
- 11.2. The appointment of a Scrutineer shall be made, in writing, by using the prescribed form Appointment of Scrutineer by a Candidate (Form EL12A). The form must be filed with the Clerk, at the Municipal Building, by Monday, October

5, 2026, at 4:00 PM, unless otherwise authorized by the Clerk.

- 11.3 Candidates who have been acclaimed are not permitted to appoint a Scrutineer.
- 11.4 The number of Scrutineers who may be present will be reduced by one while the Candidate who appointed them is in the Voting Place. A Candidate that attends the Voting Place is deemed to be a Scrutineer.
- 11.5 Every Candidate/Scrutineer that arrives at a Voting Place, Vote Counting Centre or Logic and Accuracy Testing of the Vote Tabulators must be processed by an Election Official.
- 11.6 Prior to being admitted to any Voting Place, Vote Counting Centre, or at the Logic and Accuracy Testing of the Vote Tabulators, the Scrutineer will be required to show proof of their appointment and Proof of Identification to the Election Official in charge at any time. Both the Candidate and/or Scrutineer will be required to complete the prescribed form "Oral Oath of Secrecy" and take the required oral oath administered by an Election Official. The Candidate/Scrutineer will be provided with an identification card to be worn at all times while in attendance at the Voting Place, Vote Counting Centre, or at the Logic and Accuracy Testing of the Vote Tabulators.
- 11.7 Each Candidate/Scrutineer shall be responsible for his or her conduct, rights, prohibitions as set out in the applicable Appointment of Scrutineer form and Scrutineer Guide.
- 11.8 The Municipality will be using vote-counting equipment to tabulate the votes. In order to protect the secrecy of the vote, Candidates/Scrutineers are not permitted to view the face of the Ballots as they are being fed into the Tabulators or to view the touch screens. This includes not viewing or being apprised of any messages that appear on the Tabulator's screen.
- 11.9 Where a Candidate/Scrutineer violates any of the above noted prohibitions, an Election Official may order that individual to vacate the Voting Place. Once ordered, the individual shall vacate the Voting Place, shall not remain anywhere in, or on the property of the Voting Place, and may not return to the Voting Place. The decision of the Election Official is final.

MEA References: section 16, 42, 43, 47(2)(5), 54, 55

Related forms: Appointment of Scrutineer by Candidate (EL12A)

Oral Oath of Secrecy

Statement of the Results of the Election

12. Registration of Third-Party Advertisers

12.1 Individuals, corporations, or trade unions wishing to register as a Third-Party Advertiser shall file the prescribed form, “Notice of Registration -Third-Party” in person, or via an agent authorized to act on their behalf, with an Election Official, at the Municipal Building from May 1, 2026, to October 23, 2026, during regular business hours.

12.2 The Clerk shall provide notice of the Third-Party Advertisers that have filed forms by posting on the Municipal Website a “List of Registered Third-Party Advertisers” which may be updated every 3 business days.

A Candidate running for any municipal council or school board office cannot register to be a Third-Party Advertiser for any municipality. Third Party advertising is separate from any Candidate’s campaign and must be done independently from a Candidate.

12.3 The date on which the Clerk certifies the Notice of Registration - Third Party, the individual, corporation or trade union is a registered Third-Party for the election.

MEA Reference: section 88.6

Related forms: Third-Party Advertiser - Notice of Registration (Form 7)

13. Eligibility to Vote

13.1 To vote in the Election, a person must be:

- a Canadian citizen; and
- at least 18 years old; and
- a resident of the Municipality or is the owner or tenant of land in the Municipality, or the spouse of such owner or tenant; and
- not prohibited from voting under any law.

13.2 An Elector may vote only once in the Election regardless of how many properties they own or rent within the Municipality.

13.3 A person is prohibited from voting, if they are:

- serving a sentence of imprisonment in a penal or correctional facility;
- a corporation;
- acting as executor or trustee, or in another representative capacity, except as a voting proxy in accordance with section 44 of the MEA; or
- convicted of a corrupt practice described in section 90(3) of the MEA, if Voting Day is less than five years after the voting day in the election in respect of which they were convicted.

MEA Reference: section 17(2)

14. Voters' List

- 14.1 Up to August 12, 2026, eligible Electors can determine if their information is correct on the Voters' List by visiting Elections Ontario website at [RegistertoVoteOn.ca \(https://www.registertovoteon.ca/\)](https://www.registertovoteon.ca).
- 14.2 Up to June 1, 2026, Electors can determine if their school board support designation is correct on the Voters' List by logging on to MPAC's (Municipal Property Assessment Corporation) website at <https://www.mpac.ca/en/MakingChangesUpdates/SchoolSupportDesignation>.
- 14.3 Starting Tuesday, September 1, 2026, through to and including Monday, October 26, 2026, Electors can determine if their information is correct on the Voters' List by logging onto the municipal website at www.learmington.ca. An Elector wishing to amend the Voters' List must submit a written application to an Election Official on the prescribed form (Application to Amend Voters' List), along with the required documentation, which in the opinion of the Election Official is necessary to substantiate the amendment requested.
- 14.4 Applications to amend the Voters' List may be filed as follows:
- Electronically, up to August 12, 2026, by visiting [RegistertoVoteOn.ca](https://www.registertovoteon.ca) to confirm, update, or add name to Voters' List.
 - From September 1, 2026, up to and including October 26, 2026, applications to amend the Voters' List may be filed:
 - in person, at the Municipal Building during regular municipal business hours (8:30 AM to 4:30 PM Monday to Friday, except holidays), or extended hours at the discretion of the Clerk;
 - electronically by visiting www.learmington.ca and completing the required form and uploading the required supporting documents; and
 - on Voting Day from 10:00 AM through to 8:00 PM at the Voting Place.
- 14.5 Election Officials will use a program called Municipal VoterView to update and make changes to the Voters' List. The Municipal VoterView application allows Election Officials to add, change, delete or move Electors as required in accordance with the provisions of the MEA.

15. Candidates Request for Voters' List

- 15.1 After September 1st, and upon written request to the Clerk, a Candidate will be provided with a copy of the part of the Voters' List that contains the names of the Electors who are entitled to vote for that office. Copies will be available after the Municipality receives the Preliminary Voters' List from Elections Ontario.
- 15.2 The Voters' List will be provided to each Candidate, who has requested a copy, in an electronic format in an encrypted manner through a digital sharing platform (for example, SharePoint) or through an encrypted USB. One print copy will be made available to Candidates, upon written request. Additional print copies of the Voters' List may be purchased for a fee of \$25.00 per copy.
- 15.3 On or after September 20, 2026, and before September 30, 2026, the Election Official will prepare an interim list of the changes to the Voters' List and give a copy of the Interim List to each Candidate. The Interim List will be distributed in the same manner as the Voters' List and may be purchased in the same manner.
- 15.4 Upon written request of a Candidate and after the close of an Advance Vote Day, the Clerk will give a copy of the Advance Voters' List to the Candidate or Scrutineer that requested the List. The Advance Voters' List will be distributed in the same manner as the Voters' List
- 15.5 The Clerk will prepare and certify the Voters' List for use in each Voting Place. In preparing the Voters' List, the Clerk shall;
- a) determine which Electors appear on the Voters' List;
 - b) remove the names that are shown in the Preliminary List of Electors as names to be removed.
 - c) may make any other changes approved pursuant to the MEA. The Voters' List will be maintained electronically for use in the Voting Places provided to Election Officials for use on Voting Day.
- 15.6 No additional versions of the Voters' List will be produced for Candidates throughout the Election period.

MEA References: section 23, 27, and 28

Related forms: Application to Amend Voters List
 Declaration of Identity

Part 3 – Voting

16. Voting Method

- 16.1 In-person voting method shall be used for the 2026 Municipal and School Board Election.
- 16.2 Tabulators will be used for vote tabulation.
- 16.3 Accessible voting equipment will be made available at location(s) determined by the Clerk.

17. Pre-Vote Logic and Accuracy Testing

- 17.1 Logic and Accuracy testing is a fundamental part of any voting system deployment. It provides the user with a final system evaluation to ensure the voting system has been configured correctly and is functioning properly. Logic and Accuracy testing is the final check before the system is used for an Election.
- 17.2 Logic and Accuracy Testing of the voting systems will take place on a date determined by the Clerk and before the first Advance Voting Day.
- 17.3 Logic and Accuracy Testing will be conducted by Elections Officials and the Tabulator provider, in the presence of Candidates or their Scrutineers, if any.

18. Voting Places - Establishing Voting Locations

- 18.1 The Clerk shall establish the number and location of Voting Places for an Election, and, where possible, will give consideration of the following factors:
 - accessibility of the venue;
 - convenience of location of the venue;
 - parking availability;
 - minimizing the distance for possible Electors to travel; and
 - confirmed availability.
- 18.2 Voting Places will be posted on the Municipal Website. Electors will be issued Voter Information Letters by letter mail to the address listed on the Voters' List, notifying the Elector of the available Voting Places that the Elector may attend either on Voting Day to vote, or Advance Voting dates and locations.
- 18.3 Where there are Voting Places, the entire property will be considered as the Voting Place. Campaign material, including signs, pamphlets, t-shirts, buttons or other materials depicting a Candidate or Third-Party Advertiser, shall be prohibited. The Supervisor/Deputy Returning Officer will make periodic checks

of the Voting Place to ensure that the location is free of campaign material and accessible.

MEA Reference(s): section 45

19. Voter Information Letters (VIL)

- 19.1 Voter Information Letters will be issued to every Elector on the Voters' List before September 30, 2026. The Voter Information Letter will inform the Elector of the date and time of Voting Day, as well as the dates, times, and locations of Advance Voting. The Voter Information Letter will have the Elector's name and address as it appears on the Voters' List, as well as the locations of the Voting Places at which the Elector is eligible to vote.
- 19.2 In the event of a postal strike by Canada Post, the Clerk may determine how the VILs will be distributed, which may include the establishment of VIL pickup locations, if necessary.
- 19.3 In the event that a person receives more than one VIL, an Elector may only vote once and must return the other VIL to the Election Official and complete an Application to Amend the Voters' List to remove the duplicate name(s), when necessary.

20. Secrecy of the Vote

- 20.1 Every person who is present in a Voting Place or at the counting of the votes shall maintain the secrecy of the voting.

21. Conduct at the Voting Place

- 21.1 For the purposes of this section, "Voting Place" includes the immediate vicinity of the Voting Place designated by the Clerk. No person shall:
- a) display a Candidate's election campaign material or literature in a Voting Place;
 - b) while an Elector is in a Voting Place, attempt, directly or indirectly, to influence how the Elector votes;
 - c) interfere or attempt to interfere with an Elector who is marking the Ballot;
 - d) obtain or attempt to obtain, at a Voting Place, information about how an Elector intends to vote or has voted;
 - e) communicate any information obtained at a Voting Place about how an Elector intends to vote or has voted;

- f) take a photograph or video recording of their marked Ballot;
- g) show their marked Ballot to any person so as to reveal how they voted, except in connection with obtaining assistance in voting pursuant to these procedures or the MEA.

MEA Reference(s): sections 48 and 49.

22. Opening of Voting – Status and Zero Tape Report

- 22.1 On Voting Day or any Advance Voting Day, the Tabulator Officer, in the presence of the Supervisor/Deputy Returning Officer will open the Tabulator in accordance with the DS200 Open Procedures (attached as Appendix “A” to these Clerk’s Procedures).
- 22.2 Prior to the opening of the Voting Location, a Configuration Report, Ballot Status Accounting Report and a Zero Report will be generated by the DS200 Tabulator to demonstrate that no votes have been cast in the software before voting opens. The reports will be generated before the opening of the Voting Place by the Tabulator Officer in the presence of the Supervisor/Deputy Returning Officer.

Part 4 – Voting Procedure

23. Obtaining a Ballot

- 23.1 When an Elector arrives to vote, the Ballot Officer must verify that the person is entitled to vote. The Elector must provide their Voter Information Letter as well as Proof of Identification (in a form acceptable to the Ballot Officer).
- 23.2 If the Elector does not have a Voter Information Letter, the Elector shall provide the prescribed Proof of Identification or complete the Declaration of Identity.
- 23.3 If the Elector arrives to vote and is not on the Voters' List, he or she will be required to complete an "EL15 - Application to Amend the Voter's List". The Elector's name and address should be verified by the Election Official by requesting Proof of Identification and then added to the Voters' List.
- 23.4 Once confirmed, the Elector's name is struck off the Voters' List.

24. Dispensing a Ballot

- 24.1 Prior to giving a Ballot (in the Privacy Sleeve) to an Elector, the Ballot Officer in the presence of another Election Official, shall mark their initials on the Ballot so that they are clearly visible. The Ballot Officer will briefly and accurately explain the procedure for voting to the Elector.

25. Usual Voting Procedures

- 25.1 The Elector shall proceed immediately to the Voting Booth. The Elector will mark the Ballot with the Ballot Marking Device provided and place it back in the Privacy Sleeve leaving the Ballot Officer's initials exposed and immediately proceed to the Tabulator Station without letting anyone see what marks have been made on the face of the Ballot. The Elector shall give the Privacy Sleeve, with the Ballot concealed in the Privacy Sleeve, to the Tabulator Officer. The Tabulator Officer shall then feed the Ballot into the Tabulator with the initials facing up to the Tabulator while keeping the Ballot concealed by the Privacy Sleeve.
- 25.2 In the event the Elector requests to feed their own Ballot into the Tabulator, they are permitted to do so.
- 25.3 The Elector should stay long enough to ensure that the Tabulator has successfully processed the Ballot.
- 25.4 If the Elector has made an error casting their Ballot (e.g. under-voted or over-voted), the Elector will need to determine if he/she wants to continue to cast their Ballot or complete a new one. An Elector is only entitled to receive one replacement Ballot. Once the Tabulator has accepted the Ballot, then the Elector must leave the Voting Place.

- 25.5 A person whose Ballot has been placed in the Ballot Box by the Election Official is deemed to have voted and may not vote again under any circumstances.
- 25.6 Notwithstanding section 25.5, a person who has been assigned as a Proxy, may return to the Ballot Officer to receive a Ballot for that Elector for whom they have received their delegated Appointment for Voting Proxy for as set out in section 37 of these Procedures.

26. Cancelled Ballot

- 26.1 In the event that an Elector accidentally spoils a Ballot, the Elector will return the Ballot to the Election Official, and a new Ballot will be issued to that Elector. Election Officials must immediately mark the Ballot “Cancelled” on the back of the Ballot and place it in an envelope provided for the “Cancelled Ballots”.
- 26.2 The cancelled Ballots should be recorded on the tally sheet provided, so that the total number of Ballots issued remains accurate; however, cancelled Ballots do not count toward the total number of tabulated votes cast.
- 26.3 An Elector is no longer entitled to vote if, after receiving a Ballot, he/she leaves the Voting Place without returning the Ballot or declines to vote and returns the Ballot. The Election Official shall record this on the Voters’ List.

27. Declined Ballot

- 27.1 In the event an Elector declines to vote for all offices for which he or she is eligible to vote, the Ballot may be marked “Declined” and placed in the envelope provided for declined Ballots. A declined Ballot is to be recorded on the Election Official’s tally sheet provided.
- 27.2 If an Elector wishes to decline a vote for at least one office and to vote for a least one office, he/she should be provided with a Ballot and should mark the Ballot except for the office(s) being declined. The Elector should bring the marked Ballot to the Tabulator station for tabulation by the Tabulator. Depending on how the Elector declined to vote for a particular office, the Tabulator will hold the Ballot and indicate that the Elector has over – or – under voted for that office. The Elector will then need to confirm that he or she wishes to cast his or her Ballot anyway.
- 27.3 An Elector is no longer entitled to vote if, after receiving a Ballot, they leave the Voting Place without returning the Ballot or declines to vote and returns the Ballot. The Ballot Officer shall record this on the Voters’ List.

28. Voter Has Left the Voting Place

28.1 Where the Tabulator has returned a Ballot for any reason and the Elector has left the Voting Place; the Election Official will permit the Tabulator to accept the Ballot and votes on the Ballot shall be counted by the Tabulator to the full extent possible given the nature of votes that exist on the Ballot.

29. Close of Voting at the Voting Place - Voting Day

29.1 The Supervisor/Deputy Returning Officer at each Voting Place shall, at 8:00 PM on Voting Day, provided that all Electors within the Voting Place as of 8:00 PM have cast their Ballots, close the Voting Place such that no additional Ballots may be cast.

29.2 After the last Elector's vote is cast, the Tabulator Officer, in the presence of the Supervisor/Deputy Returning Officer will complete the closing procedures as set out in Appendix "B" to these Procedures.

29.3 The Supervisor/Deputy Returning Officer, with the assistance of the Tabulator Officer, shall ensure the Tabulator is closed and the Tabulator and Election Definition Media Stick is securely delivered with all materials and documents to the Clerk at the Counting Centre.

MEA Reference(s): section 46, 52 and 55

30. Challenging Eligibility

30.1 If a Candidate/Scrutineer challenges the right of a person to vote, the Supervisor/Deputy Returning Officer must note it for the person's name on the Voters' List "objected to by (the name of the Candidate)" or "objected to by (name of Scrutineer) on behalf of (name of the Candidate)".

30.2 The Election Official may also challenge an individual on his or her own initiative if he or she has reason to believe the person is not an eligible Elector entitled to vote in the Municipal Election. In either case, the challenged individual must then take the "Oath of Qualification" provided by the Election Official.

30.3 If the person refuses to swear or affirm, the Election Official will mark, "refused to affirm" or "refused to swear" next to that person's name on the Voters' List.

31. Advance Voting

31.1 The Municipality of Leamington will hold three Advance Vote dates at which any Elector, which has not voted, may cast their vote. The Advance Voting will be held as follows:

- Saturday October 10, 2026, at St. Michael's Parish
- Saturday October 17, 2026, at the Nature Fresh Recreation Centre
- Wednesday October 21, 2026, at St. Michael's Parish

No Advance voting will be held earlier than September 26, 2026.

- 31.2 Notice of the Advance Vote will be provided through one or more of the following: local print newspapers, website, newsletter, radio, the Municipal Website, the Municipality's social media and Voter Information Letters.
- 31.3 Voting shall be conducted in accordance with Part 3 – Voting Procedure.
- 31.4 After the last Elector's vote is cast, the Tabulator Officer, in the presence of the Supervisor/Deputy Returning Officer will complete the closing procedures as set out in Appendix "C" to these Procedures.
- 31.5 The Election Official, and the Supervisor/Deputy Returning Officer will return the sealed Tabulator and Ballot Box, together with any unused Ballots to the Clerk at the Municipal Building for safekeeping.
- 31.6 The Clerk will ensure that the Tabulator together with all Ballots remain secure, in a secured room with limited access.
- 31.7 The results from the Advance Voting Days will not be printed until after the close of voting (8:00 PM) on Voting Day (Monday, October 26, 2026).

32. Voting in Institutions

- 32.1 The Clerk may determine that Election Staff attend Institutions with less than 20 or more beds occupied by persons who are disabled, chronically ill or infirm and retirement homes occupied by less than 50 beds.
- 32.2 Voting Places will be provided on or before Voting Day at the following Institutions for the residents of the Institutions only:
 - Venvi Retirement Living, 1 Henry Avenue
 - Rosewood Erie Glen Senior Living, 119 Robson Road
 - Seacliff Manor Retirement Residence, 30 Seacliff Drive East
 - Sun Parlour Home, 175 Talbot Street East
 - Leamington Mennonite Home, 35 Pickwick Drive
 - Franklin Gardens Long-Term Care Home, 24 Franklin Road
 - Leamington Mennonite Retirement Residence, 22 Garrison Avenue
 - Seniors Alternative Care, 166 Talbot Street East
 - New Beginnings Rest Home, 106 Talbot Street West
- 32.3 Voting shall take place at some time between 9 AM and 4 PM on or before Voting Day at each Institution.

- 32.4 Where needed, Institution staff will be recruited and trained to assist with voting in each Institution.
- 32.5 Prior to Voting Day, Administration staff at each Institution will provide a list of residents who are eligible Electors. An Election Official shall verify whether each Elector is on the Voters' List. If the Elector is not found on the Voters' List, or if any of the details are incorrect, the Election Official shall use the provided information to add or update their information on the Voters' List.

33. Voting Procedure at Institutions

- 33.1 On or before Voting Day, a Supervisor/Deputy Returning Officer and Election Official will provide Electors in the Institution an opportunity to cast their vote.
- 33.2 Before issuing a Ballot, the Election Official will ask the Elector for Proof of Identification and ensure it matches the information on the Voters' List. If Proof of Identification cannot be provided, then any document issued by the Institution can be accepted as identification, including the patient's chart, wrist-bracelet or confirmation of identity by the administrator of the Institution.
- 33.3 To vote, the Elector shall mark the Ballot for their required Candidate, then place the Ballot in the white Ballot Box provided by the Election Official.
- 33.4 If required, the Supervisor/Deputy Returning Officer or other staff at the Institution may assist the Elector with marking their Ballot.
- 33.5 If staff at the Institution provide assistance or act as an interpreter, they must complete the prescribed form (Oral Oath of Interpreter) and take the requisite oath.
- 33.6 If the Elector makes a mistake on their Ballot, the Election Official will:
- a) write "Cancelled" on the back of the Ballot;
 - b) place it in the envelope provided for cancelled Ballots; and
 - c) issue a new Ballot to the Elector.
- 33.7 Once the Elector has successfully placed their Ballot in the Ballot Box, the Election Official will mark the Elector on the Voters' List as having voted.
- 33.8 Upon completion of the voting in the Institution, the Election Official, in the presence of the Supervisor/Deputy Returning Officer, will close and seal the Ballot Box and return the Ballot Box together with any unused Ballots to the Clerk at the Municipal Building for safekeeping until the counting of the Ballots on Voting Day.

- 33.9 The Clerk will ensure that all Ballots remain secure, in a secured room with limited access.
- 33.10 The vote totals from Institutions will not be printed until after 8:00 PM on Voting Day at the Vote Counting Centre.

34. Candidates and Scrutineers at Institutions

- 34.1 Candidates or their Scrutineers may be permitted access to Institutions during voting only if permitted in accordance with the Institution's policies.
- 34.2 Candidates or their Scrutineers are permitted to attend the Counting Centre to observe the tabulation of Ballots collected from Institutions. The Clerk shall provide advance notice of the scheduled time for tabulation.

35. Tabulation and Results on Election Day – Institutions Ballots

- 35.1 Election Officials will open the sealed Ballot Boxes containing the Ballots from the Institutions at the Counting Centre at the time established by the Clerk.
- 35.2 Once all of the Ballots from the Institutions have been removed from the Ballot Boxes, an Election Official will put them through the Tabulator in the presence of another Election Official.
- 35.3 Should a Tabulator reject a Ballot, the following process shall be followed:
- a) Where the Tabulator returns the Ballot because it detects more votes in the designated voting spaces than the Elector is entitled to mark on the Ballot (over voting), the Election Official shall re-feed the Ballot into the Tabulator and press the button under "Count as Marked" until the Ballot is drawn into the Tabulator.
 - b) Where there are marks in the designated voting spaces, but the Tabulator cannot process the Ballot, the Election Official shall re-insert the Ballot, trying different orientations (face-down, head-first/last).
 - c) If the Tabulator rejects the Ballot again, the Ballot shall be set aside for examination, and the following process will be followed on the set-aside Ballots:
 - i. where there are marks in the designated voting spaces for the applicable office, or the Tabulator cannot process the Ballot, the Election Official shall replace the Ballot. The Election Official shall:
 - write "Cancelled – Replaced Ballot" on the back of the original Ballot and file it in the designated folder;

- prepare a replacement Ballot in full view of any Candidates or Scrutineers by making a replica mark in the appropriate designated voting space on the replacement Ballot;
- write “Replacement Ballot” on the back of the replacement Ballot and sign it; and
- feed the replacement Ballot into the Tabulator.

35.4 When all Ballots have been fed through the Tabulator, the Tabulator and Ballot Box will be secured, and both the Tabulator and the Ballots will be returned to secure storage until after 8:00 PM on Voting Day.

35.5 After 8:00 PM on Voting Day, an Election Official will attend the secured room and return the Tabulator and Ballot boxes to the Clerk in the Vote Counting Centre and perform the process of tabulating the results.

MEA Reference(s): section 45, 46

36. Voter Assistance

36.1 An Election Official may permit an Elector who requires voting assistance to have such assistance as the Election Official considers necessary.

36.2 Subject to the provisions below, rather than request the assistance of an Election Official, an Elector may request that a friend accompany and assist the Elector with the voting process:

- the friend assisting the Elector shall complete the prescribed form (Oral Oath of Friend of Elector) and take the requisite oral oath; and
- the friend is not a Candidate, nor a Scrutineer of a Candidate.

36.3 If an Elector requires interpretation services, the Elector must provide their own interpreter. The interpreter must complete the prescribed form (Form EL27) and take the requisite oath.

Related forms: Oral Oath of Support Person, Friend of Elector or Translator (EL27)

37. Voting by Proxy

37.1 Any Elector qualified to vote in the Municipality of Leamington may appoint another Elector as their voting proxy.

37.2 An Elector may act as a voting proxy for:

- a) one other Elector, who is not a Relative; or

- b) one or more Electors, who are spouses, siblings of each other, parents and child or grandparents and grandchild, using separate Appointment for Voting Proxy Form for each.
- 37.3 The appointment of a voting proxy may only occur after Nomination Day (August 24, 2026) through to Voting Day. Appointment for Voting Proxy Forms will not be issued on Election Day nor certified on Election Day.
- 37.4 Only an Elector qualified to vote who wishes to appoint a voting proxy may request and obtain an Appointment for Voting Proxy Form that is to be marked as being issued from the Clerk's Office or from such other Election Officials appointed by the Clerk.
- 37.5 Only an Appointment for Voting Proxy Form marked and issued by the Clerk's Office will be eligible for certification by the Clerk. Any Appointment for Voting Proxy Forms submitted for certification that have not been requested through the Clerk's Office and not marked as issued by the Clerk's Office will not be accepted for certification.
- 37.6 Candidates will be instructed to refer any Appointment for Voting Proxy Form requests to the Clerk's Office. Appointment for Voting Proxy Forms marked and issued by the Clerk's Office will not be provided to Candidates, although Candidates may request a proxy or/ act as a proxy in their own right.
- 37.7 On the date of any Advance Vote, Appointment for Voting Proxy Forms can only be presented for certification at the Municipal Building, Clerk's Office which will be open for such purposes between the hours of 12 p.m. to 5 p.m. Appointment for Voting Proxy Forms that are presented for certification at the Voting Place/ Location will not be accepted. Only certified Appointment for Voting Proxy Forms will be received by Election Officials at the Voting Place.
- 37.8 Copies of the Appointment for Voting Proxy Forms are public documents, which may be inspected by any person upon request to the Clerk's Office.

38. Issuing a Proxy Application

- 38.1 An Elector who wishes to appoint a voting proxy may upon or after August 25, 2026:
- a) contact the Clerk's Office to request an Appointment for Voting Proxy Form that has been marked and issued by the Clerk, to be mailed or emailed; or
 - b) request an Appointment for Voting Proxy Form be marked and issued by the Clerk, in person at the Municipal Building, Clerk's Office or at such

other location that may be designated by the Clerk (other than the Voting Place) during the following times:

- 8:30 a.m. to 4:30 p.m., Monday to Friday, excluding statutory holidays **up to but not including Voting Day**, or
- 12:00 p.m. to 5:00 p.m. on the day of an Advance Vote.

Note: Appointment for Voting Proxy Forms will NOT be issued on Election Day nor certified.

38.2 Prior to issuing an Appointment for Voting Proxy Form, the Clerk, or Election Official, shall:

- c) check the Voters' List to determine whether the Elector making the appointment is on the Voters' List. If the Elector is not on the Voters' List, an amendment application to be added to the Voters' List, if applicable, must first be made and completed;
- d) Complete Box A on the Appointment for Voting Proxy Form;
- e) Assign, record and mark a Municipality of Leamington serial number for the Appointment for Voting Proxy Form. This serial number will be entered into Register of Proxy Appointments kept in the Clerk's Office;
- f) give or mail/email to the Elector the marked and issued Appointment for Voting Proxy Form, and any other applicable forms.

38.3 For any Appointment for Voting Proxy Form requests, the Clerk's Office reserves the sole discretion and right to require any such further information as the Clerk deems necessary.

38.4 The Elector making the appointment shall then provide the completed Appointment for Voting Proxy Form and an original or photocopy of Proof of their identification to the appointed voting proxy who shall bring the same in person to the Clerk's Office for Certification. Original signatures are required.

39. Certifying a Proxy Application

39.1 The Elector who has been appointed as voting proxy shall then present the completed Appointment for Voting Proxy Form, an original or photocopy of the identification of the Elector who appointed them and an original of their own identification, in person, to the Clerk's Office at the Municipal Building or at a location that may be designated by the Clerk's Office (other than a Voting Place) and appear before the Clerk or Election Official for certification during the following times:

a) 8:30 a.m. to 4:30 p.m., Monday to Friday, excluding statutory holidays, up to but not including Voting Day, or

b) 12 noon to 5:00 p.m. on any day of an Advance Vote Day.

39.2 Under no circumstances can an Appointment for Voting Proxy Form be presented for certification at the Voting Place nor on Election Day.

39.3 The Clerk or designated Election Official then shall:

a) check the identification of both the Elector making the appointment and the voting proxy to verify their names and qualifying addresses and that the identification matches the names and addresses on the Appointment for Voting Proxy Form;

b) check the Voters' List to verify that both the Elector making the appointment and the voting proxy are on the Voters' List,

(c) if the Elector making the appointment or the appointed voting proxy is not on the Voters' List, they will need to firstly be added to the Voters' List by completing the application to be added to the Voters' List.

(d) have the appointed voting proxy read and sign the declaration on the Appointment for Voting Proxy Form;

(f) date and sign the declaration and apply a Municipality of Leamington stamp/seal;

(g) make a photocopy of the Appointment for Voting Proxy Form; and

(h) give the certified Appointment for Voting Proxy Form to the voting proxy and instruct them to take the form to the Voting Place.

39.4 The Clerk reserves the sole discretion and right to require any such further information as it may reasonably require in order to confirm the Appointment for Voting Proxy Form Certification.

40. Process at the Voting Place - Proxy

40.1 The voting proxy will take the certified Appointment for Voting Proxy Form to the Voting Place.

40.2 At the Voting Place, the voting proxy shall present the Supervisor/Deputy Returning Officer with the certified Appointment for Voting Proxy Form, along

with acceptable Proof of Identification. The voting proxy is not required to present their identification of the Elector making the appointment.

- 40.3 To be valid, the certified Appointment for Voting Proxy Form must be completed, signed by the Election Official and include the Municipality of Leamington's serial number and seal.
- 40.4 The Election Official shall verify that the voting proxy's identification matches the information on the certified Appointment for Voting Proxy Form. If the voting proxy's identification matches, they will be asked to give an oral oath on the Appointment for Voting Proxy Form affirming they are the appointed voting proxy, they have been instructed by the Elector to vote on their behalf, and they are doing so in good faith.
- 40.5 They will then be given a Ballot and can proceed to vote.
- 40.6 If the voting proxy's identification does not match, or the appointed voting proxy does not present acceptable identification, they will not be issued a ballot.
- 40.7 If the voting proxy is an eligible Elector entitled to vote in their own right at the same Voting Place as the Elector making the appointment, the Election Official will ask the voting proxy to firstly vote in their own right. Once they have completed their vote, they may return to the Ballot Officer and obtain a Ballot for the proxy that they hold.

MEA Reference(s): section 44

Related forms: Appointment for Voting Proxy (Form 3)

41. Vote Count Procedures at the Counting Centre

- 41.1 Only the Clerk, appointed Election Officials, Candidates (an acclaimed Candidate or their scrutineer is not permitted) and authorized Scrutineers will be permitted to be present at the Vote Counting Centre.
- 41.2 Candidates and Scrutineers are to arrive between 7:45 PM and 8:00 PM to be admitted to the Municipal Building for the count. Entrance to the Municipal Building and the Vote Counting Centre will not be permitted after 8:00 PM on October 26, 2026, and only Election Officials will be allowed to enter thereafter.
- 41.3 A Candidate or Scrutineer that leaves the Vote Counting Centre before the final results are given, will not be permitted to re-enter the Municipal Building or Vote Counting Centre.
- 41.4 A person appointed as a Scrutineer shall also produce and show his or her Appointment of Scrutineer form to the Election Official. He or she will be

required to take an Oral Oath of Secrecy from the Clerk or her designate.

- 41.5 The Clerk or designate may require Candidates, Scrutineers and other authorized attendees to show Proof of Identification.
- 41.6 Anyone who is creating a disturbance at the Counting Centre will be removed as directed by the Clerk. Cell phones and other equipment shall be turned off upon entering the count and their use is prohibited, except by Election Officials.

42. Voting Election Results

- 42.1 The same rules of conduct apply to Candidates/Scrutineers at the Counting Center as in the Voting Places.
- 42.2 The Clerk shall report and/or publish the unofficial results of the Municipal and School Board Elections as soon as practicable after 8:00 PM on Voting Day.
- 42.3 The Clerk shall, as soon as possible after Voting Day, declare the Candidates who received the highest number of votes to be elected and shall publish this information on the Municipal Website.
- 42.4 As soon as possible after Voting Day, the Clerk will make the following information available at no charge for viewing by the public on the Municipal Website:
- number of votes for each Candidate.
 - number of declined and rejected ballots.

MEA Reference(s): section 47(1)(5)

43. Recount

- 43.1 A recount shall only be conducted if:
- a) two or more Candidates receive the same number of votes (tied vote), and the recount shall be held within 15 days of the declaration of results;
 - b) Leamington Council, or an applicable school board passes a resolution after the declaration of the results requiring a recount of the votes cast for office on Council or the school board, respectively and the recount shall be held within 15 days of the resolution;
 - c) The Minister orders the recount, and the recount shall be held within 15 days of the order; or
 - d) The Superior Court of Justice orders the Clerk to hold a recount, and the recount shall be held within 15 days of the order.

- 43.2 Subject to any order of a judge, the recount of votes shall be conducted in the same manner as the original count and in accordance with the MEA. Accordingly, the Clerk shall conduct a re-tabulation of votes for the office in which a recount is necessary.
- 43.3 The Clerk shall provide reasonable notice of any recount conducted under this section. Notice of recount shall:
- a) be in writing;
 - b) include the date, time and location of the recount;
 - c) be given to all Certified Candidates for the office subject to the recount, any Election Official assisting with the recount, Tabulator Provider, any person the MEA requires be given notice, and other person the Clerk determines, in their sole discretion, requires notice; and
 - d) be published on the Municipal Website and on Social Media.
- 43.4 The Clerk shall give notice of the recount to:
- a) every Candidate for an office that is the subject of the recount,
 - b) in the case of a recount requested under Ministerial order, the Council, applicable School Board or Minister, as the case may be;
 - c) in the case of a recount ordered upon Elector Application under section 58 of the Act, the applicant, and
 - d) in the case of a recount concerning an office of which Electors of another municipality are entitled to vote, the clerk who was responsible for the conduct of the vote in that other municipality.
- 43.5 Notices of the results of the recount shall be given in the same manner, with the necessary modifications, and to the same persons outlined in section 44.4. of these Procedures.

MEA Reference(s): section 11, 56, 57, 58, 60

44. Tied Vote

- 44.1 If following a recount 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.
- 44.2 The notice for determination by lot shall:

- a) be in writing;
- b) include the date, time and location of the recount;
- c) be given to all Certified Candidates for the office subject to the recount, any Election Official assisting with the recount, Tabulator Provider, any person the MEA requires be given notice, and other person the Clerk determines, in their sole discretion, requires notice; and
- d) be published on the Municipal Website and on Social Media.

44.3 The following procedure shall be used and applied under this section:

- a) The Clerk shall use an empty Ballot Box to collect the Ballots. Each Candidate, or their lawyer or Scrutineer, will be permitted to examine the Ballot Box.
- b) The Clerk shall use a blank Ballot with the names of the Candidates and each Candidate, or their lawyer, or scrutineer will be permitted to examine the paper used.
- c) The Clerk or designated Election Official shall mark each Ballot with an X for each Candidate.
- d) All persons present under this section shall be permitted to examine the box which will be used to conduct the lot.
- e) Once the examinations have been completed, the Clerk shall fold the papers bearing each Candidate's name twice in two equal parts and shall deposit the Ballots, in full view of all present, in the Ballot Box.
- f) Once all the Ballots have been deposited, the Clerk shall hold the box, and without looking in the box, shake the box to ensure that the contents have been sufficiently displaced. The Clerk shall hold the Ballot Box at such a height to as prevent any person from seeing inside the box before a name is drawn from it.
- g) The Clerk, without looking in the box, shall draw one Ballot from the Ballot Box, unfold the Ballot, show the Ballot to those in attendance and then read the name aloud as the successful Candidate.
- h) The Clerk shall designate an Election Official to remove the remaining contents from the box and provide an opportunity for all persons present to examine the remaining Ballots and the Box.

- i) The Clerk shall provide notice of the results of the determination by lot as soon as practicable and posted on the Municipal Website and Social Media.

Part 5 – Election Communications

45. General Election Communications

45.1 Unless otherwise provided, any notices that are required to be given under these Procedures of the MEA, will be given through a combination of one or more of the following to be determined by the Clerk, in her sole discretion:

- a) advertising in the local newspaper;
- b) local radio advertisements,
- c) posting at municipal facilities,
- d) posting at Voting Places,
- e) the Municipal Website,
- f) social media.

45.2 The Clerk shall ensure that the following information is communicated to the Electors:

- a) the offices for which a person may be nominated, and the nomination procedure;
- b) that a municipal and school board Election is being held in Leamington and that the Election will be held through an in-person voting method with the use of vote counting equipment;
- c) hours of operation of the Municipal Building and Voting Places;
- d) who is eligible to vote in the Municipal Election;
- e) verification procedures to confirm whether an Elector appears on the Voters' List and to confirm whether the Elector's information is correct;
- f) the results of the Election.

45.3 As soon as possible after Voting Day, the Clerk will make the following information available at no charge for viewing by the public on the Municipal Website:

- a) the number of votes for each Candidate
- b) the number of declined and rejected ballots.

46. Election Questions

46.1 Members of the public seeking information or having questions about the Election may contact the Election Specialist or Clerk during regular business hours starting May 1, 2026:

- a) by contacting the Election Specialist by telephone at 519-326-5761; or
- b) by email at clerks@leamington.ca

Part 6 – Emergency & Contingency Plan

47 Emergency

- 47.1 Due to the nature of emergent situations, the procedures related to emergencies are subject to change and review without notice in order to maintain the integrity and transparency of the election and the health and safety of all people.
- 47.2 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 MEA. The power to declare an emergency includes, but is not limited to, declaration of an emergency that affects voting in all or part of the Municipality and voting in one or more Voting Places.
- 47.3 An emergency declared by the Clerk under the MEA does not also need to be an emergency declared pursuant to the Emergency Management and Civil Protection Act (EMCPA). In the event of a declaration of an emergency under the EMCPA affecting the Municipality of Leamington, the Clerk may choose to declare an emergency if, in their opinion, circumstances have arisen that are likely to prevent the election being conducted in accordance with the MEA.
- 47.4 The Clerk will make such arrangements as they consider advisable for the conduct of the election in the emergency.
- 47.5 When circumstances permit, the Clerk shall complete the Declaration of Emergency Form that indicates the time of commencement of the emergency and the particulars of the emergency.
- 47.6 The emergency continues until the Clerk declares that it has ended.
- 47.7 The Clerk will attempt to give notice of an emergency and the impact of the emergency on the conduct of the Election in a manner befitting the circumstance of the emergency.
- 47.8 If made in good faith, the Clerk's declaration of emergency and arrangements shall not be reviewed or set aside by a court on account of unreasonableness or supposed unreasonableness.
- 47.9 If required, the Clerk may consider alternate options for the following:
- a) Reporting results;
 - b) Notification of Electors;
 - c) Voting period (e.g. delay of voting, extension of voting hours or days);
 - d) Alternative Voting Places.


MEA Reference(s): section 53(1)

48 Revisions to the Clerk’s Election Procedures

48.1 The current version of these Procedures will be available on the Municipal Website and distributed to all registered Candidates. These Procedures may be revised as deemed necessary in the sole opinion of the Clerk. Any revisions to the Procedures shall be recorded in the table provide below and the date of the revision shall be noted next to the provision revised.

Revision Number	Date	Applicable Section Added or Revised

DS200 Open Procedures

 Before starting the DS200 Open Procedures be sure you have the barrel key and the ballot box.



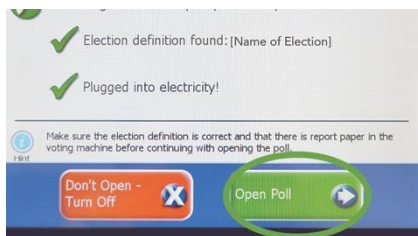
1. Plug the DS200 power cord into an AC outlet.

2. Verify that the auxiliary and main ballot compartments are empty before folding the cardboard box lid closed.

3. Unlock the front, flip up the DS200 screen, and the DS200 will automatically power up.
(If the DS200 does not automatically power up, close the lid, ensure the unit is plugged in again and re-lift the lid. If the unit still does not power up, remove security seal and unlock the access door on the front left, and press the Power button)

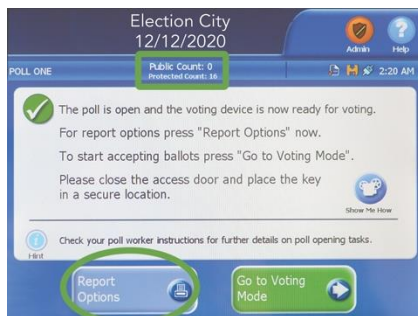
4. The Configuration Report will automatically print. Make sure the screen shows a green check mark before “Election definition found” and “Plugged into electricity.” Then press **Open Poll**.

(If the Election Definition shows not found and doesn't have a green check — remove security seal and unlock the access door and make sure the Election Definition media stick is pushed in all the way. Then lock the access door and reseal with a NEW security seal.)



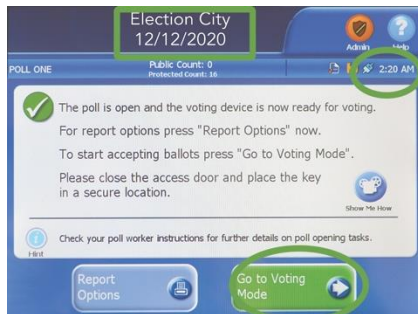
5. The Status and Zero Totals reports will automatically print — if you have any issues with these reports not printing, be sure to press **Report Options** to print these reports.

(Follow your jurisdiction's procedures for handling the zero tape.)



6. Ensure that the Public Count is zero on the screen of the DS200. If it is not, call Election Central for assistance. Make sure the date, time, election and poll names are accurate.


Press **Go to Voting Mode**.



The DS200 is now ready for live voting!

****DISCLAIMER:** These procedures are guidelines. Any requirements outlined by the jurisdiction must be followed.

DS200 Close Procedures

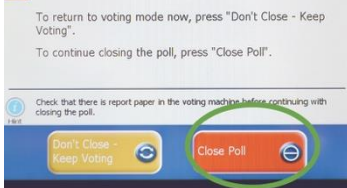
 Close your polling place for voting at the assigned time, and then prepare the results for processing. Report printing and processing vote totals from the DS200's media stick are only possible after you properly close the polls.

If applicable, check the auxiliary ballot compartment for uncounted ballots, and follow your jurisdiction's rules accordingly.

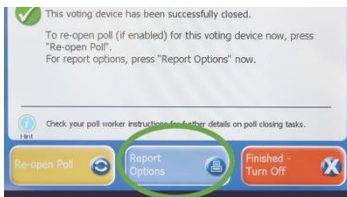


1. To officially close the polls, remove security seal and unlock the access door, press and hold down the **Close Poll** button.

*The **Close Poll** button will turn red and then turn off.*

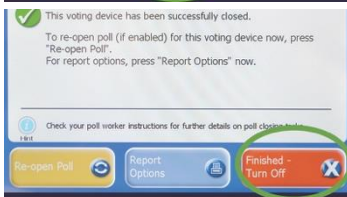


2. This screen will appear to confirm you are ready to close the poll — press **Close Poll**.



3. Depending on how your election definition was set up, the DS200 may automatically print one or more reports.

*If you need to print additional reports, press **Report Options**.*



4. Press **Finished - Turned Off** to shut down the DS200.



5. Remove the Election Definition media stick after the power button is no longer lit. Shutdown is complete.

Removing the media stick before shutdown is complete could damage the equipment.



6. Close and lock the access door and DS200. Unplug and return the power cord, close the back door and close/lock the screen and lid. Following your jurisdiction's procedures, take the Election Definition media stick and any printed reports to Election Central.



That's it! You're all done!

****DISCLAIMER:** These procedures are guidelines. Any requirements outlined by the jurisdiction must be followed.



DS200 Ballot Scanner

HOW TO SHUT DOWN THE DS200 SCANNER DURING ADVANCE DATES- INSTRUCTIONS

Election Systems and Software Canada ULC

<http://www.essvote.com>

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The document sections referenced below contain Election Systems and Software, Inc. (ES&S) confidential information, which is provided for the sole purpose of permitting the recipient, to evaluate the ES&S Voting System submitted herewith. The following sections are designated as "Proprietary and Confidential" by Election Systems & Software.



DS200

End of Advance Voting Day

- 1. Check the ballot box's Auxiliary Ballot Storage Bin for uncounted ballots. Follow your jurisdictional procedures for processing uncounted ballots. This could include scanning through the DS200 or proceeding with the close process without scanning through the DS200.

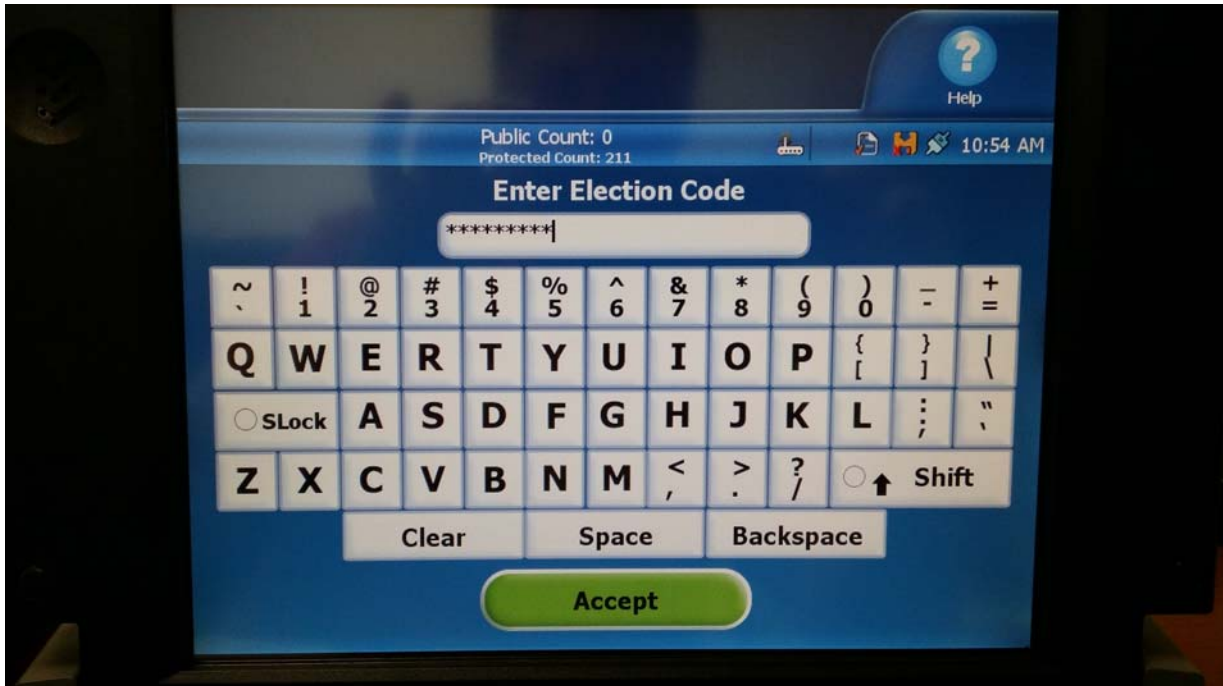
Shutting down the Advance Polls

- 1. Record the number of ballots cast (PUBLIC COUNT) on the DS200 screen.
- 2. Press the TOOLS icon in the upper right corner of the DS200 screen.

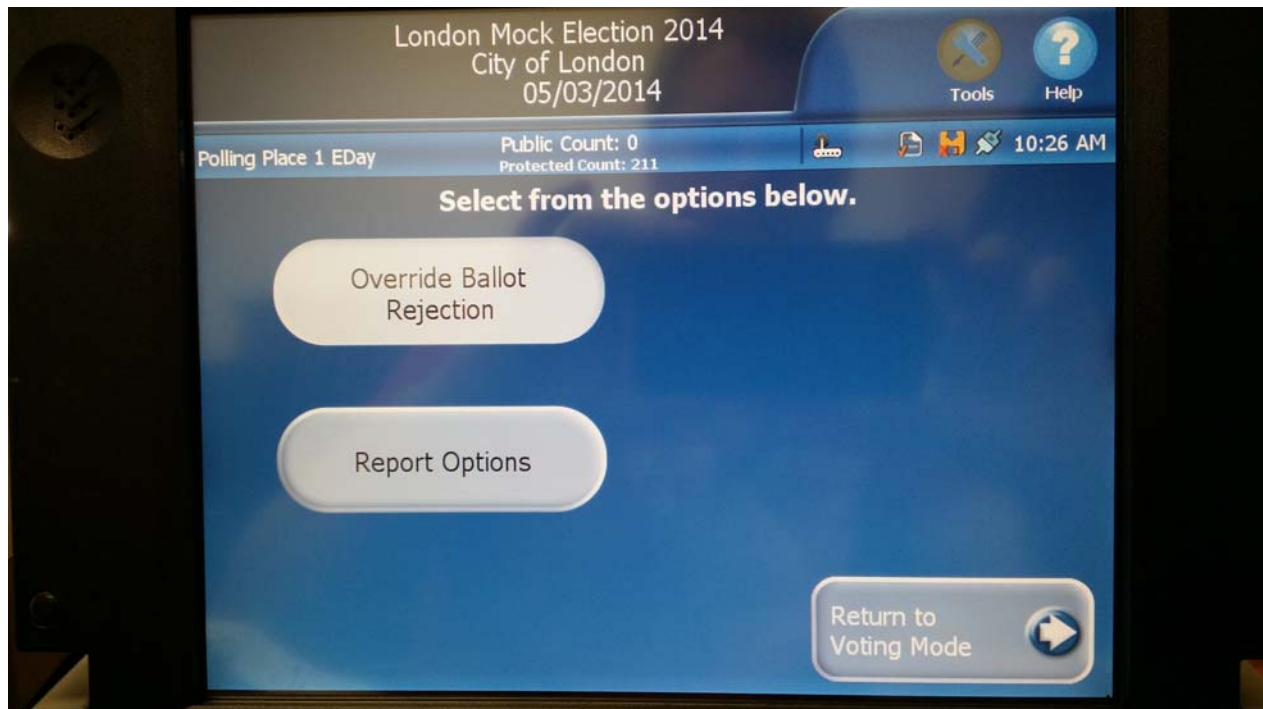


- 3. Enter the Election Code (code will only be given to Election Officials).

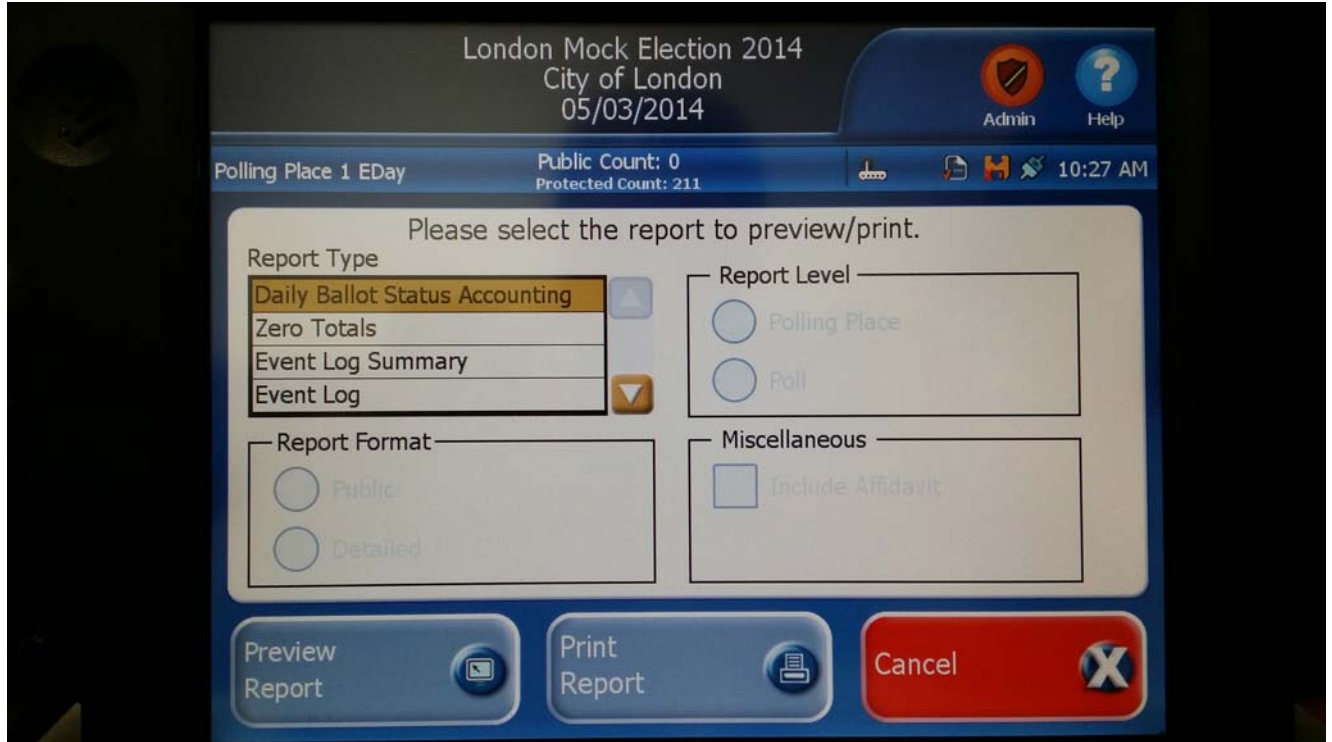
Example code – Election1 (codes are case sensitive)



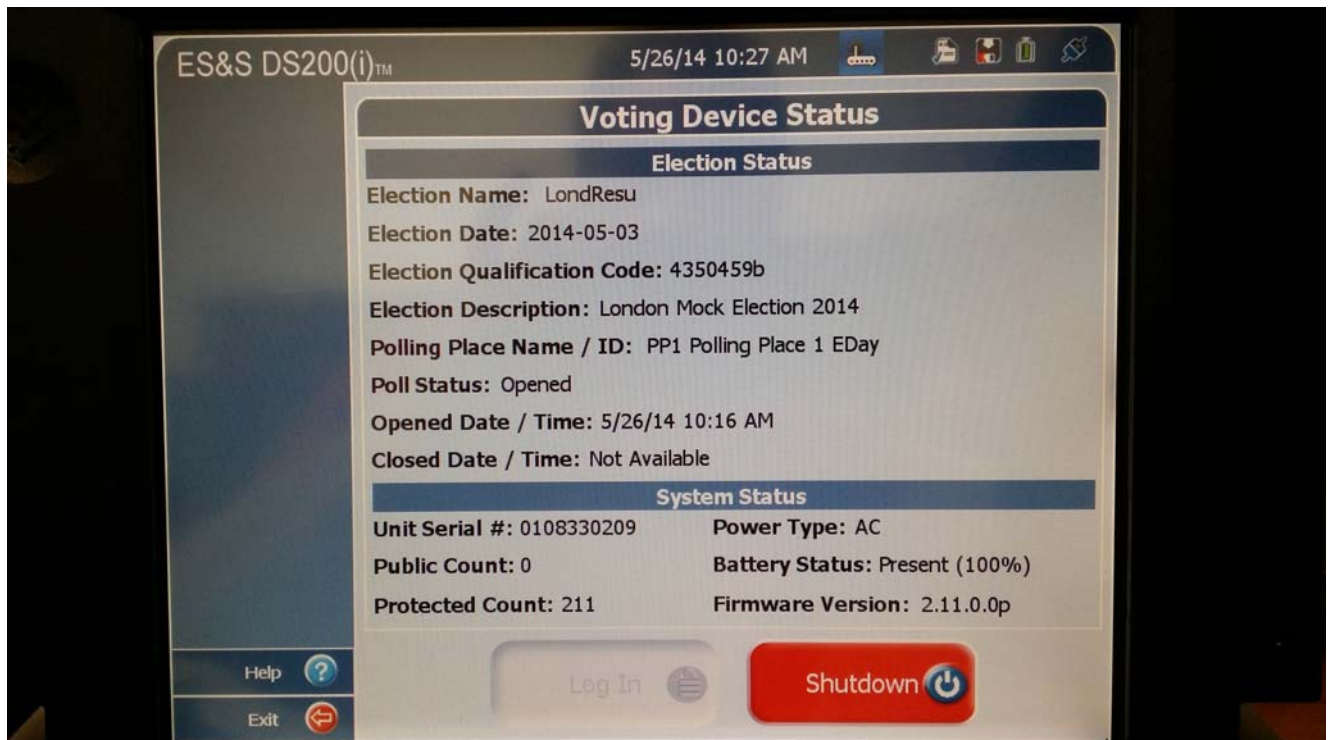
4. Press the REPORT OPTIONS button on the screen



- 5. Press the ADMIN icon in the upper right corner of the DS200 screen.



- 6. Press the red SHUTDOWN button on the screen



The DS200 will take approximately 1 minute to fully shutdown

- 7. Once complete, shut and lock the DS200 screen.



- 8. On both the Cardboard ballot boxes and the Plastic Ballot boxes - Pull the scanner forward about 4 – 5 inches and disconnect the power cord from the back of the terminal. You will need to lift the front of the DS200 up before sliding forward if you are using the Cardboard boxes.
- 9. Slide the scanner forward until it clears the mounting rails or cardboard walls and remove the scanner from the ballot box. Place the scanner in the carrying case.

Last, but Most Importantly

- 10. Follow the procedures established by your jurisdiction election staff to transport all required ballots, equipment and supplies, etc... to the designated location.

SPECIAL NOTE – Ensure that the scanner is plugged into power prior to its next startup. If it is not plugged in first, the scanner will not automatically power on when you unlock and lift the screen.