

MUNICIPAL ELECTIONS 2022 Nominations – Acceptance and Withdrawal

1.0 Purpose:

- 1.1 To outline the procedure for the acceptance of Nominations for the Offices of Lord Mayor, Regional Councillor and Councillors.

2.0 General:

- 2.1 The Clerk or his designate will accept Nomination Forms in-person only, MEA Section 33(6).
- 2.2 The Clerk, Deputy Clerk and Elections Coordinator are able to accept nominations.

3.0 In-Person Nominations:

(Note: as a result of the ongoing pandemic, in-person nominations will only be accepted subject to Town Hall remaining open to the public. In the event Town Hall is closed to the public candidates or their agents will be required to make an appointment.)

- 3.1 Nominations will be accepted at Town Hall Monday to Friday from 8:30 a.m. to 4:30 p.m. from May 2, 2022 to August 18, 2022. On August 19, 2022 nominations will be accepted from 9:00 a.m. to 2:00 p.m. Candidates or their Agents who are in the office prior to 2:00 p.m. may file after 2:00 p.m.
- 3.2 Individuals filing nominations are encouraged to make an appointment with the Clerk to allow for review of the Nomination material and Candidate's Package information.
- 3.3 If an agent is filing on the candidate's behalf, a letter must be submitted at the time of filing which authorizes the agent to file on behalf of the candidate. The letter must be signed by the candidate, and commissioned or notarized by a person authorized under the Commissioners for Taking Affidavits Act or Notaries Act, prior to the agent submitting the nomination paper to the Town Clerk.
- 3.4 Nomination Forms will be accepted/reviewed by the Clerk, in their office, with the Elections Coordinator, or the Deputy Clerk present. If the Clerk is unavailable then the Deputy Clerk and/or the Elections Coordinator may conduct the nomination process.
- 3.5 The candidate will be provided with a copy of the Candidate's Information Package prepared by the Town. The Clerk will follow the Checklist for Receiving Nominations and explain each piece to the candidate.
- 3.6 The Clerk will ensure that the prescribed endorsement by 25 individuals (other than the candidate) is received. The Clerk will make a copy of the completed nomination form for the

candidate. The original will be kept for the candidate's file. (Note: Candidates are not to solicit endorsements from staff in the Clerk's division)

3.7 The Clerk will take payment of the \$200.00 or the \$100 nomination filing fee and provide the candidate with the original receipt for the nomination filing fee. A copy will be kept for the candidate's file.

3.8 If the material is incomplete then the Clerk may provide the candidate with an opportunity to complete the information until 2:00 PM on nomination day (August 19, 2022) or as soon as possible after 2:00 PM that day. (MEA 33 (4.1)), but prior to the close of business (4:30 PM) that day.

3.9 The Clerk will ensure that the candidate signs the Candidate Information Checklist indicating that they have received all pertinent information. The signed checklist will be placed in the candidate's file. It is still the candidate's responsibility to be aware of and meet all legislated requirements.

4.0 Processing Nominations:

4.1 Nominations will be processed as they are received in accordance with the Checklist for Processing Nominations.

5.0 Certification:

5.1 The Clerk will certify all nominations by Monday, August 22, 2022 using the Nomination Certification Tracking Sheet.

5.2 The Clerk will send the names of the certified candidates to the area clerks via email and a "read receipt" will be requested to ensure the email was received.

5.3 The Clerk will also produce a list of certified candidates to be published on the Town's website.

5.4 If the Clerk rejects a nomination, they shall give notice as soon as possible to the person who sought nomination and to all candidates for the office.

6.0 Withdrawal of Nominations

6.1 Nominations may be withdrawn up until 2 p.m. on Nomination Day (August 19th) (MEA 36) using the Region's Withdrawal of Nomination Form. An Agent may submit a withdrawal form on behalf of a candidate; however, the candidate must provide the agent with a signed letter to give to the Regional Clerk authorizing the agent to file the withdrawal form. The letter and withdrawal form must be signed by the candidate, and commissioned or notarized by a person authorized under the Commissioners for Taking Affidavits Act or Notaries Act, prior to the agent submitting the withdrawal form to the Regional Clerk. While not legislatively required, the

Clerk or designate will attempt to contact the candidate to confirm that it is their intent to withdraw their nomination. Candidates who withdraw must still submit their financial filing in order to be eligible for the refund of the nomination filing fee.

6.2 Withdrawal Forms must be submitted in-person.

7.0 Acclamations:

7.1 If as of 4:00 p.m. on Monday, August 22nd there is only one nomination received, the Clerk will issue an acclamation.

8.0 Additional Nominations:

8.1 If on the close of the nomination period (August 19, 2022 at 2 p.m.) there are no nominations received for the Office of Regional Chair, the Clerk shall post a notice on the Region's website, post an online notice on the newsdurham.ca website and issue a media release advising that the nomination period for this office is being extended until August 24, 2022 at 2:00 p.m.

8.2 Additional nominations may be withdrawn up until 2 p.m. on August 24, 2022 using the Withdrawal of Nomination Form. An Agent may submit a withdrawal form on behalf of a candidate; however, the candidate must provide the agent with a signed letter to give to the Regional Clerk authorizing the agent to file the withdrawal form. The letter and withdrawal form must be signed by the candidate, and commissioned or notarized by a person authorized under the Commissioners for Taking Affidavits Act or Notaries Act, prior to the agent submitting the withdrawal form to the Regional Clerk. While not legislatively required, the Clerk or designate will attempt to contact the candidate to confirm that it is their intent to withdraw their nomination. Candidates who withdraw must still submit their financial filing in order to be eligible for the refund of the nomination filing fee.

9.0 Certification of Additional Nominations:

9.1 The Clerk will certify all additional nominations by 4 p.m. on Thursday, August 25, 2022 using the Nomination Certification Tracking Sheet.

9.2 If there was only one additional nomination, then an acclamation may be issued after 4 p.m.

10.0 Amendment to These Procedures and Rules

10.1 The Clerk, at any time, has the right to amend this document to facilitate the vote, count, tabulation of the votes and security or any other matter at the sole discretion of the Clerk.

10.2 The Clerk's ruling on any interpretation of this document is final.

May 2, 2022