



## **THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD**

### **BY- LAW NO. 2026-21**

#### **Being a by-law to adopt a Municipal Election Recount Policy and to repeal By-law 2022-16.**

**WHEREAS** The Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended (the "Act"), establishes requirements for recounts in municipal and school board elections, including mandatory recounts in the event of a tied vote and recounts ordered by Council, a local board, the Minister, or the Superior Court of Justice;

**AND WHEREAS** Sections 56 to 60 of the Act provide that recounts shall be conducted by the municipal Clerk and in the manner prescribed by the Act and the regulations made under it;

**AND WHEREAS** Council of The Corporation of the Township of Southwold may adopt policies to establish additional circumstances under which an automatic recount shall be conducted, provided that the conduct of the recount remains the responsibility of the Clerk;

**AND WHEREAS** Council deems it appropriate and in the public interest to adopt a Municipal Election Recount Policy to promote transparency, consistency, and public confidence in municipal election results;

#### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD ENACTS AS FOLLOWS:**

##### **1. ADOPTION OF RECOUNT POLICY**

- 1.1 The Municipal Election Recount Policy, attached hereto as Schedule "A" and forming part of this by-law is hereby adopted.

##### **2. ADMINISTRATION**

- 2.1 Nothing in this By-law or the Recount Policy limits or restricts the authority or duties of the Clerk under the Municipal Elections Act, 1996.
- 2.2 All recounts shall be conducted by the Clerk in accordance with:
  - a) the Act;
  - b) Ontario Regulation 101/97, as amended; and
  - c) recount procedures established by the Clerk.

**3. EFFECTIVE DATE**

- 3.1 This By-law comes into force and effect on the date it is passed.

**4. REPEAL PRIOR BY-LAW**

- 4.1 That By-law s 2022-16 be repealed.

**READ A FIRST AND SECOND TIME, CONSIDERED READ A THIRD TIME, AND FINALLY PASSED THIS 9<sup>th</sup> DAY OF MARCH, 2026.**

Original signed by:

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Mayor  
Grant Jones

Original signed by:

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CAO/Clerk  
Jeff Carswell

## Schedule "A" to By-law 2026-21



### THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

#### MUNICIPAL ELECTION RECOUNT POLICY

##### 1. PURPOSE

- 1.1 To establish circumstances under which an automatic recount shall be conducted for municipal and school board elections, in addition to those required by the Municipal Elections Act, 1996.

##### 2. AUTHORITY

- 2.1 This policy is adopted pursuant to sections 56, 57, 58 and 60 of the Municipal Elections Act, 1996.

##### 3. APPLICATION

- 3.1 This policy applies to all regular municipal elections and by-elections for offices elected by electors of the Municipality.

##### 4. POLICY

- 4.1 In addition to recounts required under the Municipal Elections Act, 1996, the Clerk shall conduct an automatic recount for an office where the vote difference between the last candidate declared elected and the first candidate not declared elected is:

- i. ten (10) votes or fewer; or
- ii. one percent (1%) or less of the total votes cast for the office,

whichever is less.

**5. ADMINISTRATION**

- 5.1 The Clerk shall determine the date, time, location and manner of the recount and shall establish recount procedures consistent with the Municipal Elections Act, 1996 and Ontario Regulation 101/97.

**6. EFFECTIVE DATE**

- 6.1 This policy shall take effect on the date it is adopted by Council and shall apply to all subsequent municipal elections unless amended or repealed.