



TOWNSHIP OF  
**Southwold**

# **2026 Municipal Election Procedures**

## **1. Purpose and Authority**

This document establishes the rules, procedures, and safeguards governing the conduct of the 2026 Municipal Election in the Township of Southwold using Vote by Mail (VBM) as an alternative voting method.

This policy is established pursuant to:

- section 42 of the Municipal Elections Act, 1996 (the “Act”), which permits Council to authorize alternative voting methods, including vote-counting equipment, by by-law;
- sections 11 and 12 of the Act, which provide the Clerk with authority to conduct the election and establish procedures necessary to ensure a fair, accessible, and secure election; and
- a Council by-law authorizing the use of vote-counting equipment (optical scan tabulators) for the 2026 Municipal Election.

These procedures prevail over the Act and its regulations to the extent permitted by section 42(4) of the Act.

## **2. Guiding Principles**

In administering a Vote by Mail election, the Township of Southwold is guided by core principles consistently applied by Ontario municipalities using vote-by-mail voting, including:

- secrecy and confidentiality of the vote;
- fairness and non-bias;
- accessibility and accommodation;
- integrity and security of the voting process;
- accuracy and certainty that results reflect votes cast; and
- consistency and transparency for voters and candidates.

## **3. Application of Vote by Mail**

### **3.1 Voting Method**

All voting in the 2026 Municipal Election shall be conducted using Vote by Mail. A voting location will be available at the Municipal Office, but voters will still utilize their Vote-By-Mail Kit. Election Officials will be available to assist voters and provide information.

Ballot return options, including secure drop-off, are provided to ensure electors who choose not to mail their ballot retain a secure alternative means of returning their

ballot. Canada Post will provide a “mail by” date that should ensure the Vote-By-Mail package is returned by the deadline. If a voter is unsure or concerned their ballot may not arrive on time, they may drop their ballot off at the Municipal Office.

### **3.2 Onus on the Elector**

As with all Vote by Mail elections in Ontario, electors are responsible for ensuring:

- their information is correct on the voters’ list; and
- their completed ballot is received by the Clerk by the close of voting on Voting Day **(8:00 pm Monday, October 26, 2026)**.

### **3.3 Proxy Voting – Limited Circumstances**

While the Township of Southwold is conducting the 2026 Municipal Election using Vote by Mail, proxy voting may be available in limited and exceptional circumstances, in accordance with the Municipal Elections Act, 1996.

Proxy voting may be appropriate where an elector is temporarily away during the period when vote-by-mail packages are issued and returned (for example, due to travel), and where it is not reasonably practical for the elector to receive, complete, and return a vote-by-mail package within the required timelines.

In such cases, an elector may appoint a proxy before leaving the municipality, provided that:

- the prescribed proxy appointment form is completed;
- the form contains the original signatures of both the elector and the proposed proxy;
- the proxy appointment is certified by the Clerk or designate prior to voting; and
- all eligibility and statutory requirements for proxy voting under the Municipal Elections Act, 1996 are satisfied.

Proxy voting is not intended to replace vote-by-mail voting and remains a limited accommodation for specific circumstances where vote-by-mail is not reasonably available to the elector. See the Proxy Voting Procedures for more information.

## **4. Accessibility and Vote by Mail**

Vote by Mail supports accessibility by allowing electors to vote in the convenience and familiarity of their own home environment, where they may use personal supports, assistive devices, and communication tools that best meet their individual needs.

This voting method reduces barriers associated with mobility, transportation, health-related limitations, sensory disabilities, cognitive disabilities, work schedules, and caregiving responsibilities, while preserving privacy, dignity, and independence.

Vote by Mail is complemented by additional accessibility measures described in this Policy, including in-person assistance provided by trained election staff.

## **5. Election Officials and Roles**

### **5.1 Clerk / Returning Officer**

The Clerk is the Returning Officer and is responsible for:

- administering the election;
- establishing, interpreting, and enforcing election procedures;
- appointing election officials;
- maintaining the security and integrity of election materials; and
- certifying election results.

The Clerk's decision on all procedural matters is final, subject only to judicial review.

### **5.2 Election Officials**

The Clerk may appoint Deputy Returning Officers and other Election Officials in writing. Election Officials must:

- swear an oath;
- successfully complete required training; and
- comply with all confidentiality and security requirements.

Candidates, spouses of candidates, campaign workers, and scrutineers are prohibited from serving as Election Officials.

## **6. Voters' List**

### **6.1 Preliminary List of Electors**

Elections Ontario shall supply the Preliminary List of Electors. The Clerk shall revise the list in accordance with the Act.

### **6.2 Preparation of Voters' List**

The Voters' List shall be prepared on September 1, 2026, at which time it becomes a public document. Revisions may be made by the Clerk up to and including Voting Day.

### **6.3 Use of Voters' List**

The Voters' List may only be used for election purposes. Commercial or unauthorized use is strictly prohibited.

## **7. Vote by Mail Kits**

### **7.1 Contents of Vote by Mail Kit**

Each Vote by Mail Kit shall include:

- a ballot or composite ballot;
- an inner ballot secrecy envelope;
- a voter declaration form;
- a prepaid return envelope; and
- clear voting instructions.

### **7.2 Distribution of Vote by Mail Kits**

Vote by Mail Kits shall be mailed to electors on the Voters' List as of the Clerk-determined cut-off date following September 1, 2026. Electors added after that date shall receive their kit by mail or in person from the Clerk.

The Clerk shall maintain inventory controls and logs for all Vote by Mail Kits issued.

## **8. Casting and Returning Ballots**

### **8.1 Voting Instructions**

Electors shall:

1. mark the ballot;
2. place the ballot in the secrecy envelope;
3. complete and sign the voter declaration form;
4. place all required materials in the return envelope; and
5. return the envelope by mail or secure drop-off.

### **8.2 Ballot Return Methods**

Completed ballots may be returned by:

- Canada Post mail; or
- secure drop-off at the Municipal Office located at 35663 Fingal Line, Fingal, Ontario.

### **8.3 Deadline for Return**

All ballots must be received by the Clerk by 8:00 p.m. on Voting Day (Monday, October 26, 2026). Ballots received after that time shall not be counted.

## **9. Replacement Vote by Mail Kits**

Replacement Vote by Mail Kits may be issued where a kit is lost, destroyed, or not received. The Clerk shall:

- verify elector eligibility;
- require a declaration;
- mark the original kit as replaced; and
- ensure that only one ballot is ultimately counted.

## **10. Ballot Security and Chain of Custody**

### **10.1 Storage**

All ballots, secrecy envelopes, and election materials shall be stored in a secure location under the control of the Clerk at all times.

### **10.2 Processing of Return Envelopes**

Return envelopes may be opened prior to Voting Day solely for the purpose of:

- verifying voter declarations; and
- striking voters off the Voters' List.

Ballots shall not be reported prior to the close of voting on Voting Day.

## **11. Counting and Vote Tabulation**

### **11.1 Counting Location**

Ballots shall be counted at the Municipal Office located at 35663 Fingal Line, Fingal, Ontario, or at another secure location designated by the Clerk.

### **11.2 Batch Processing and Pre-Tabulation**

Returned ballots may be processed in batches for efficiency, control, and audit purposes. Batch processing includes opening return envelopes, verifying voter declarations, and separating ballots in secrecy envelopes.

The tabulation process may commence prior to the close of voting on Voting Day for the limited purpose of scanning and securely storing vote totals in the tabulators. No

results, subtotals, reports, or tallies shall be generated, viewed, shared, or released until after the close of voting at 8:00 p.m. on Voting Day.

All ballot processing and vote tabulation activities shall be conducted under controlled conditions, supervised by authorized election officials, and shall take place in a secured area of the Municipal Office that is not accessible to the public.

### **11.3 Vote-Counting Equipment (Tabulators)**

Pursuant to Council by-law passed under section 42 of the Act, optical scan vote tabulators shall be used to tabulate ballots cast in the 2026 Municipal Election.

Tabulators shall:

- be programmed and tested prior to Voting Day;
- undergo logic and accuracy testing in accordance with established procedures;
- securely retain vote results until the close of voting; and
- be operated and supervised by authorized election officials only.

The use of tabulators does not alter the requirement that all ballots be paper-based and capable of manual recount.

### **11.4 Scrutineers**

Certified candidates may appoint scrutineers in accordance with procedures established by the Clerk. Scrutineers shall have reasonable access to observe election processes without interfering with election officials.

### **11.5 Defective or Unscannable Ballots**

Where a ballot is damaged, improperly marked, or otherwise unable to be read or scanned by the vote tabulating equipment, the ballot shall be set aside as a defective ballot.

In such cases, election officials may prepare a replacement ballot that accurately reproduces the elector's marked choices on the defective ballot. The following safeguards shall apply:

- the replacement ballot shall be prepared by at two (2) election officials acting together;
- the original defective ballot shall be retained and clearly marked as "defective" and cross-referenced to the replacement ballot;
- the replacement ballot shall be clearly marked as "replacement" or "duplicate";

- both the defective ballot and the replacement ballot shall be retained as part of the election record; and
- the replacement ballot shall be the ballot tabulated and counted.

This process is intended solely to preserve the elector's vote where technical scanning issues arise and does not permit altering, interpreting, or re-marking voter intent beyond what is evident on the defective ballot.

### **11.6 Rejected and Objected-to Ballots**

A ballot shall be rejected if it is not marked in a manner that clearly indicates the elector's intent or if it does not comply with requirements set out in the *Municipal Elections Act, 1996*.

Where a scrutineer objects to a ballot, the objection and the reason for the objection shall be noted by an election official. Objected-to ballots shall be reviewed by the Clerk or designate, whose decision on whether the ballot is accepted or rejected is final.

- Objected-to ballots that are accepted shall be tabulated and counted, and shall be clearly marked as "objected – counted" and retained separately as part of the election record.
- Rejected ballots, including objected-to ballots that are determined to be rejected, shall not be tabulated or counted and shall be clearly marked as "rejected" and retained separately.

All rejected and objected-to ballots shall form part of the official election record for the purposes of recounts or court proceedings.

## **12. Results and Recounts**

Unofficial results may be released following the close of voting. Official results shall be certified by the Clerk as soon as practicable once tabulation is complete.

Once certified, election results shall be posted on the Township of Southwold website and made available to the public in a manner determined by the Clerk. Recounts shall be conducted in accordance with the Act and any applicable Township recount by-law.

## **13. Accessibility Measures**

The Clerk shall have regard to the needs of electors and candidates with disabilities and shall:

- provide accessible facilities and services;

- provide in-person Vote by Mail assistance at the Municipal Office during regular office hours and until 8:00 p.m. on Voting Day;
- ensure trained staff are available to provide assistance;
- provide election materials in alternative formats upon request; and
- prepare a post-election accessibility report.

#### **14. Emergencies**

In the event of an emergency, the Clerk may make any arrangements deemed necessary for the conduct of the election under section 53 of the Act.

#### **15. Amendments**

The Clerk may amend or update this Vote by Mail Procedures and Policy at any time up to and including Voting Day, as required to ensure the fair, secure, and effective conduct of the election.

Any updates or amendments to this Policy shall be posted on the Township of Southwold website and a copy shall be provided to all registered candidates as soon as reasonably practicable.

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