



Town of Cornwall Municipal Election Bylaw  
**Town of Cornwall, PE**  
**A Bylaw to Regulate Municipal Elections**  
**Bylaw #2022-03**

IT IS ENACTED by the Council of the Town of Cornwall as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Title**

1.1. This bylaw shall be known and cited as the “Elections Bylaw.”

**2. Purpose**

2.1. The purpose of this bylaw is to establish the rules and procedures for municipal elections in the Town of Cornwall.

**3. Authority**

3.1. This bylaw is adopted pursuant to Part 3 of the *Municipal Government Act*, RSPEI 1988, c. M-12.1, and its applicable regulations.

**4. Application**

4.1. This bylaw applies to the Mayor and all members of Council, municipal staff, and the public.

4.2. This bylaw operates together with, and as a supplement to, the *Municipal Government Act* and its applicable regulations.

4.3. If there is any inconsistency between this bylaw and the *Municipal Government Act* or its applicable regulations, that Act and regulations shall take precedence.

**5. Definitions**

5.1. In this bylaw, any word or term that is defined in the *Municipal Government Act* has the same meaning as in that Act.

5.2. In this bylaw:

- (a) “Act” means the *Municipal Government Act*, RSPEI 1988, c. M-12.1 and amendments thereto;
- (b) “agent” means a qualified elector who represents a candidate at a polling station who meets the criteria in section 35 of the *Municipal Election Regulations*;
- (c) “ballot” means the portion of a ballot paper that has been marked by an elector and deposited in the ballot box;
- (d) “by-election” means an election other than a general election;
- (e) “campaign contribution period” means a campaign contribution period as defined in the *Campaign Contribution and Election Expenses Bylaw Regulations*;
- (f) “election” means an election held to elect a member to serve on Council;
- (g) “election expense” means an election expense as defined in the *Campaign Contribution and Election Expenses Bylaw Regulations*;
- (h) “election expense period” means an election expense period as defined in the *Campaign Contribution and Election Expenses Bylaw Regulations*;



#### Town of Cornwall Municipal Election Bylaw

- (i) "elector" means a person entitled to vote at an election pursuant to this Bylaw.
- (j) "member" means a member of Council;
- (k) "Minister" means the member of the provincial cabinet responsible for municipal affairs in the province;
- (l) "nomination day" means the day on which nominations close as provided in the *Municipal Election Regulations*;
- (m) "official list of electors" means the list of electors prepared by the Municipal Electoral Officer;
- (n) "ordinarily resident" has the same meaning as in the *Election Act*, RSPEI 1988 c E-1;
- (o) "polling station" means a place at which voting is conducted;
- (p) "prescribed" means approved by the Minister or the Municipal Electoral Officer;
- (q) "Town" means the Town of Cornwall.

### 6. Interpretation

- 6.1. This bylaw is to be given a broad, liberal interpretation in accordance with applicable legislation, regulations, and the definitions set out in them.

## PART II – ELECTION PROCEEDINGS

### 7. Appointment of Municipal Electoral Officer

- 7.1 Council shall by resolution, on or before the second Monday in May of each election year and at other times as required, appoint the Chief Electoral Officer of Prince Edward Island as the Municipal Electoral Officer, and the Deputy Chief Electoral Officer of Prince Edward Island as the Deputy Municipal Electoral Officer, to be responsible for the administration of the election.
- 7.2 Subject to the Act, and beginning November 5<sup>th</sup>, 2018, the Town of Cornwall shall hold a general municipal election every fourth year on the First Monday in November.

## PART III - LIST OF ELECTORS

### 8. List of Electors

- 8.1 The Municipal Electoral Officer shall establish and maintain an electronic system for voter registration and this system shall be maintained in accordance with the Act and applicable regulations.
- 8.2 The personal information of an elector that is collected or obtained for the purpose of an election shall be used only for the purpose for which it was collected or obtained.

## PART IV – NOMINATION of CANDIDATES

### 9. Nomination

- 9.1. At least 10 electors qualified to vote in the Town election are required to nominate a candidate, for Mayor or Councillor, during the nomination period.
- 9.2. A candidate shall:
  - (a) file the completed nomination paper at the election office with the returning officer, at a time specified for the receipt of nominations; and



Town of Cornwall Municipal Election Bylaw

(b) deposit with the returning officer the sum of \$100 in legal tender, money order or a certified cheque made payable to the Town for that amount.

9.3 No person is eligible for nomination as both a Councillor and Mayor in the same municipal election.

**10. Return of Deposit**

- 10.1. The Chief Administrative Officer of the Town shall refund the nomination deposit to a candidate or their personal representative when:
- (a) the candidate completes and files a campaign disclosure pursuant to Part V of this bylaw; or
  - (b) the candidate dies before the close of the polls on election day.

**PART V – CAMPAIGN CONTRIBUTIONS and ELECTION EXPENSE DISCLOSURE**

**11. Election Expenses**

- 11.1. Effective January 1, 2019, in the case of an election, the election expenses period is the period in an election year beginning when a person publicly declares their intention to run as a candidate (in person or by electronic means) and ending on the election day or the declaration that the candidate is elected, whichever is earlier.
- 11.2. Effective January 1, 2019, in the case of a by-election, the election expenses period is the period beginning when Council sets the date of the election day and ending on the earlier of election day and the declaration that the candidate is elected.
- 11.3. Except as provided in subsection 11.4 below, and effective January 1, 2019, election expenses shall only be incurred by or on behalf of a candidate during the election expenses period.
- 11.4. Expenses related to the preparation of advertising materials and signs may be incurred prior to the election expenses period. These expenses shall be recorded and disclosed as election expenses in accordance with the provisions of this bylaw.
- 11.5. Effective January 1, 2019, the maximum allowable election expenses of a candidate for Mayor is \$25,000.
- 11.6. Effective January 1, 2019, the maximum allowable election expenses of a candidate for Councillor is \$10,000.
- 11.7. Election expenses incurred by a candidate in an election shall not be carried forward to be considered as allowable election expenses in a subsequent election.

**12. Campaign Contributions**

- 12.1. Effective January 1, 2019, only non-corporate persons may contribute to a candidate's campaign in an election or by-election.
- 12.2. Effective January 1, 2019, a contributor shall not make a contribution exceeding \$1,500 to any one candidate for Mayor in an election.



#### Town of Cornwall Municipal Election Bylaw

- 12.3. Effective January 1, 2019, a contributor shall not make a contribution exceeding \$1,500 to any one candidate for Councillor in an election.
- 12.4. Neither a candidate nor that candidate's spouse shall make a contribution to that candidate's own election campaign which exceeds the difference between the maximum expenditure amount set out in subsections 11.5 and 11.6 above and the total contributions from other contributors.
- 12.5. No candidate shall accept anonymous campaign contributions.
- 12.6. Where a candidate receives an anonymous campaign contribution, the candidate shall ensure that the contribution is not used or spent but is donated to a registered charity of the candidate's choice within 30 days of receipt of the contribution.

### 13. Candidate Records

- 13.1. A candidate shall keep complete and proper accounting records of all campaign contributions and election expenses.
- 13.2. A candidate must ensure that:
  - (a) proper records are kept of receipts and expenses;
  - (b) a record is kept of the value of every campaign contribution, whether the contribution is in the form of money, goods or services, and the name and address of the contributor;
  - (c) receipts are provided to the contributor for every campaign contribution referred to in subsection 13.2(b) above; and
  - (d) all records kept in accordance with this section remain in the possession and under control of the candidate or the candidate's agent at all times.

### 14. Candidate Disclosure: Filing and Records Retention

- 14.1. A candidate shall file a disclosure statement of the candidate's campaign contributions and election expenses, listing all campaign contributions and all elections expenses.
- 14.2. The disclosure statement shall be in writing in the form approved by the Minister and shall be filed with the Municipal Electoral Officer or the Chief Administrative Officer of the Town within two months following the date of a municipal election.
- 14.3. A candidate's disclosure statement shall include:
  - (a) a statutory declaration that states the total campaign contributions and the total election expenses of the candidate for that election campaign, and whether there is any surplus;
  - (b) the following information in relation to campaign contributions:
    - i. the name and address of each contributor whose cumulative campaign contribution exceeded \$250;
    - ii. the cumulative amount that each of the named contributors has given to the candidate;
    - iii. the cumulative total of all contributions under \$250;
    - iv. if no contributor's cumulative campaign contribution exceeded \$250, a notation to that effect;
  - (c) a list of all election expenses and campaign contributions;



Town of Cornwall Municipal Election Bylaw

- (d) a full accounting of all election expenses and campaign contributions relating to fundraising events;
  - (e) a description and estimated value of each donation in kind; and
  - (f) a description and estimated value of each loan received for the purposes of the election campaign.
- 14.4.** No candidate shall file a false, misleading or incomplete disclosure statement.
- 14.5.** Where a candidate's disclosure statement filed in accordance with 14.1 above discloses a surplus of campaign contributions in the form of money, a named contributor's monetary campaign contribution shall be returned to the contributor, on a pro-rated basis, where:
- (a) the candidate withdraws from the election prior to election day; and
  - (b) the contributor requests in writing to the candidate, within 14 days of the candidate's withdrawal, the return of the campaign contribution.
- 14.6.** Subject to a refund of a named contributor's campaign contribution pursuant to subsection 14.5 above, where a candidate's disclosure statement filed in accordance with 14.1 above discloses a surplus of campaign contributions in the form of money, the candidate shall turn over the remaining surplus to the Chief Administrative Officer to be used for municipal purposes.
- 14.7.** All documents filed with the Municipal Electoral Officer shall be delivered by the Municipal Electoral Officer to the Chief Administrative Officer of the Town within two weeks after the time specified in subsection 14.2 above for filing the documents.
- 14.8.** The Chief Administrative Officer shall retain the documents referred to in subsection 14.7 above in accordance with the records retention and disposal schedule of the Town that is established pursuant to section 117 of the Act.
- 14.9.** All documents filed with the Municipal Electoral Officer and retained by the Chief Administrative Officer under subsection 14.8 above are public documents and may, upon request, be available for inspection on request to the Chief Administrative Officer during regular officer hours.
- 14.10.** A candidate, whether elected or not, shall retain all records required pursuant to the regulations for no less than seven years.
- 14.11.** The Municipal Electoral Officer, or the Chief Administrative Officer if the Municipal Electoral Officer is no longer appointed, may require a candidate (whether elected or not) to provide additional information and supporting documentation in respect of the candidate's disclosure statement at any time within the seven-year period referred to in subsection 14.10 above.
- 15. Reporting**
- 15.1.** The Chief Administrative Officer shall forward to Council a report summarizing the disclosure statement of each candidate, noting any candidate who has exceeded the limit on election expenses pursuant to subsections 11.5 and 11.6 above and the name of any candidate who failed to file the required disclosure statement.



#### Town of Cornwall Municipal Election Bylaw

- 15.2.** The Chief Administrative Officer shall ensure that the summary referred to in subsection 15.1 above is posted at Town Hall and on the Town's website for a period of at least six (6) months.
- 15.3.** The Chief Administrative Officer shall ensure that the filed disclosure statement of each candidate who sought election in the immediately preceding election (whether elected or not) is posted on the Town's website for a period of at least six months.

### **16. Complaints & Compliance**

- 16.1.** Where:
- (a) a candidate fails or refuses to provide the additional information and supporting documentation referred to in subsection 14.11 above; or
  - (b) the Municipal Electoral Officer or Chief Administrative Officer, as the case may be, is not satisfied with the additional information and supporting documentation provided by the candidate;
- the Municipal Electoral Officer or Chief Administrative Officer, as the case may be, may refer the matter to Council.
- 16.2.** Council may:
- (a) determine that no further action is required;
  - (b) order the candidate to provide the additional information and supporting documentation required under subsection 14.11 above; or
  - (c) take any further action the Council considers appropriate.
- 16.3.** An elector of the municipality may in writing make a complaint that relates to information contained in a candidate's disclosure statement and deliver the complaint to the Municipal Electoral Officer, or the Chief Administrative Officer if the Municipal Electoral Officer is no longer appointed.
- 16.4.** The Municipal Electoral Officer or the Chief Administrative Officer, as the case may be, who receives a complaint from an elector under subsection 16.3 above may:
- (a) determine that no further action is required;
  - (b) require the candidate who is the subject of the complaint to provide additional information under subsection 14.11 above, or
  - (c) refer the matter to Council to be dealt with under subsection 16.2 above.

### **17. Offences and Penalties**

- 17.1.** A person who contravenes a provision of this bylaw is guilty of an offence and liable on summary conviction to a fine not exceeding \$2,000.
- 17.2.** In the case of a continuing offence, that person is liable on summary conviction to a further fine of \$2,000 for each day or part of a day during which the offence continues.
- 17.3.** A conviction for an offence referred to in subsection 17.1 above does not relieve the person convicted, including a candidate referred to in clause 16.2(b) above, from the requirement to comply with this bylaw.
- 17.4.** The convicting judge may, in addition to any fine imposed, order the person to do any act or work, within the time specified by the judge in the order, to comply with the provisions of this bylaw.





## Town of Cornwall Municipal Election Bylaw

- 17.5. Where a candidate who is elected has contravened any provision of this bylaw and is convicted of an offence in respect of that contravention, the candidate is disqualified from office and shall resign immediately.
- 17.6. Despite subsection 17.5 above, a candidate may not be required to resign where a judge of the Supreme Court decides that the contravention of the candidate arose through inadvertence or by reason of an honest mistake.

### PART VI - ADVANCE POLLS

#### 18. Advance Polls

- 18.1. The Municipal Electoral Officer shall establish one or more special polling stations in the Town for the purpose of enabling electors who expect to be unable to vote, on the day fixed for a general election, to vote in advance.
- 18.2. An advance polling station shall be open to the public between the hours of 9:00 a.m. and 7:00 p.m. on Saturday the 9<sup>th</sup> day before ordinary polling day, Monday the 7<sup>th</sup> day before ordinary polling day and on Friday the 3<sup>rd</sup> day before ordinary polling day.
- 18.3. In addition to the times set out in subsection 18.2 above, the Chief Electoral Officer may designate such other times to hold advance polling as in his or her opinion are necessary or convenient.
- 18.4. Except as provided in this section an advance poll shall be conducted, and all things done in respect thereof, in the same manner as is provided by the Act, the *Municipal Election Regulations*, and this bylaw for the conduct of a municipal election.
- 18.5. The Municipal Electoral Officer shall publish the place, date and time fixed for the holding of each advance poll:
  - (a) in at least one daily newspaper published in the Town; and
  - (b) on the Town's website and social media accounts.

### PART VII – MOBILE POLLING

#### 19. Mobile Polling Stations

- 19.1. The Municipal Electoral Officer may establish mobile polling stations at community care, long term care, or similar facilities at the discretion of the Municipal Election Officer.
- 19.2. Voting at a mobile polling station shall be conducted during a time specified for holding advanced polling under subsection 18.3 above.
- 19.3. A deputy returning officer and a poll clerk shall conduct the voting process at a mobile polling station.
- 19.4. While the mobile polling station is open, the deputy returning officer and poll clerk may:
  - (a) suspend temporarily the voting in the polling station;
  - (b) with the approval of the person in charge, and accompanied by an officer of the facility or nursing home, carry the ballot box, poll book, ballot papers, and other necessary election documents from room to room in the facility, and take the votes of the persons who are qualified to vote in the polling station; and



Town of Cornwall Municipal Election Bylaw

(c) notwithstanding section 50 of the *Municipal Election Regulations* the deputy returning officer and poll clerk shall not allow a polling station established in a hospital to be open unless a representative of the hospital is present in the room or area where the polling station is located.

- 19.5. The procedure to be used in taking the vote at a mobile polling station shall be in the same manner as provided in the *Municipal Election Regulations*.
- 19.6. Votes cast at a mobile polling station shall be counted at the same time and according to the same procedure set out in Part VII of the *Municipal Election Regulations*.

## PART VIII – MAIL-IN BALLOTS

### 20. Definitions

20.1. In this Part:

- (a) “bylaw” means this bylaw;
- (b) “application for registration and mail-in ballot” means an application completed by an elector for registration in an election and a mail-in ballot;
- (c) “certificate envelope” means the prescribed envelope form supplied by the Municipal Electoral Officer in which the inner envelope is placed by the elector;
- (d) “elector” means a person entitled to vote pursuant to section 31 of the Act;
- (e) “hours of the day” and all other references to time relate to local time;
- (f) “inner envelope” means the prescribed envelope form supplied by the Municipal Electoral Officer in which a ballot paper is to be enclosed after the ballot paper has been marked and before the ballot paper is transmitted to the Municipal Electoral Officer or Returning Officer in an outer envelope;
- (g) “mail-in ballot” means the ballot papers supplied to electors who are eligible under these Rules;
- (h) “outer envelope” means an envelope supplied by the Municipal Electoral Officer for the transmission of a ballot paper after it has been marked and enclosed in an inner envelope and certificate envelope;
- (i) “polling day” means the date fixed pursuant to section 37 of the Act for holding the poll at an election; and
- (j) “validated application for registration and mail-in ballot” means that the application has been signed by the returning officer.

### 21. Administration

- 21.1. The Municipal Electoral Officer shall exercise general direction and supervision over the administration of this Part.
- 21.2. For the purpose of carrying into effect this Part or in order to adapt this Part in respect of a particular circumstance, the Municipal Electoral Officer may issue such instructions as necessary in order to execute their intent.
- 21.3. The Municipal Electoral Officer shall, immediately before the opening of the polling stations, provide a list of the names of persons who applied for and were issued Mail-in ballots to the poll clerk at each polling station.





## Town of Cornwall Municipal Election Bylaw

### **22. Qualification**

- 22.1.** An elector who ordinarily resides in the Town and who is not subject to any disqualification set out in this bylaw is qualified to vote at an election in accordance with this Part if that person's application for registration and mail-in ballot is received in writing or by facsimile transmission by 6:00 p.m. at the office of the returning officer or Municipal Electoral Officer on or before the 13th day before polling day.

### **23. Application for Mail-In Ballot**

- 23.1.** To be included on the list of electors, an elector must file with the Municipal Electoral Officer or returning officer an application for registration and mail-in ballot containing such information in such form as the Municipal Electoral Officer may require.
- 23.2.** Once an elector's application for registration and mail-in ballot has been accepted, that elector may only vote by mail-in ballot.

### **24. Additional Information**

- 24.1.** The Municipal Electoral Officer may, where an application for registration and mail-in ballot does not contain all the required information, request, by notice in writing, the applicant to provide the Municipal Electoral Officer with the required information.

### **25. Application Approval**

- 25.1.** The Municipal Electoral Officer shall, on approval of an application for registration and mail-in ballot, send to each elector, at the address set out in the application that has been provided by the elector, a ballot paper and an inner envelope, certificate envelope and an outer envelope in the prescribed form.
- 25.2.** Where a mail-in ballot has been issued to an elector, the returning officer shall strike through the elector's name on the official list of electors.

### **26. Casting of Vote**

- 26.1.** An elector who receives a ballot paper shall mark the ballot paper by making a cross with a black lead pencil within the space on the ballot paper containing the name and particulars of the candidate for whom he or she intends to vote.
- 26.2.** After casting a vote, an elector shall fold the ballot paper in the same manner as the ballot paper was received and place the ballot paper in the inner envelope, seal the inner envelope and place it in the certificate envelope, which the elector shall sign, date and seal.
- 26.3.** An elector shall transmit the certificate envelope to the Municipal Electoral Officer or returning officer in the envelope provided by mail or through any other prepaid system of delivery.
- 26.4.** The mail-in ballot must arrive at the office of the Municipal Electoral Officer or returning officer not later than 12 noon on Monday ordinary polling day in order to be counted.



Town of Cornwall Municipal Election Bylaw

- 26.5.** For the purposes of these mail-in voting provisions, the elector is solely responsible for ensuring that the application for registration and mail-in ballot is completed and received by the Municipal Electoral Officer or returning officer within the time period specified.
- 26.6.** The elector is solely responsible for ensuring that the mail-in ballot is received by the Municipal Electoral Officer or returning officer within the time period specified.

**27. Incarcerated Persons**

- 27.1.** Every person who is incarcerated in a provincial correctional institution, a federal penitentiary or a youth custody facility and who is otherwise qualified to vote under the bylaw is entitled to vote under this Part.
- 27.2.** An incarcerated elector is not entitled to vote under this Part unless that person has signed an application for registration and mail-in ballot pursuant to section 24 above.
- 27.3.** Prior to 6:00 p.m. on the 13th day before ordinary polling day an incarcerated elector wishing to vote must file with the returning officer or Municipal Electoral Officer an application for registration and mail-in ballot indicating the city, town, village or other place in Canada, with street address, if any, province and postal code in which is situated
- (a) the residence of the elector prior to being incarcerated;
  - (b) the residence of a spouse, parent or dependent of the eligible elector;
  - (c) the place of arrest of the elector; or
  - (d) the last court where the elector was convicted and sentenced.
- 27.4.** For the purposes of completing the application for registration and mail-in ballot, the place of ordinary residence of an incarcerated elector is the first of those places listed in clauses 28.3(a) to (d) that is known to the elector.

**28. Application to be Validated**

- 28.1.** All applications for registration and mail-in ballot shall be validated and such application shall be signed and dated by the returning officer who validates the application.

**29. Special Instructions for this Part**

- 29.1.** The Municipal Electoral Officer shall, for the purposes of this Part, prescribe
- (a) security instructions for the safekeeping of ballot papers, inner envelopes: certificate envelope, and all other election documents; and
  - (b) instructions for the receiving, sorting and counting of the mail-in ballots.

**30. Deadline for Receipt of Mail-In Ballot Papers**

- 30.1.** Only ballot papers received by the Municipal Electoral Officer before 12 noon on Monday ordinary polling day may be counted.

**31. Envelopes**

- 31.1.** Every certificate envelope received by the Municipal Electoral Officer must bear on the back of the envelope in the space provided the date and time received by the Municipal Electoral Officer and his or her initials.



Town of Cornwall Municipal Election Bylaw

- 31.2.** Notwithstanding subsection 33.1 above, no envelope shall be rejected by reason only that the Municipal Electoral Officer, or designated Elections P.E.I. personnel, has not placed his or her initials upon the envelope.
- 31.3.** A certificate envelope shall be laid aside unopened where, during the receiving and sorting of certificate envelopes, it is determined on examination of a certificate envelope that:
- (a) in respect of any vote, a certificate envelope does not bear the signature of the elector; or
  - (b) the certificate envelope has been received by the Municipal Electoral Officer after 12 noon on Monday of ordinary polling day.
- 31.4.** Where, after receiving and prior to counting the certificate envelopes, it is ascertained that an elector has voted more than once, the certificate envelopes relating to that elector shall be laid aside unopened.
- 31.5.** Where a certificate envelope is laid aside unopened pursuant to subsection 33.3 or 33.4 above:
- (a) the certificate envelope shall be endorsed by the Municipal Electoral Officer with the reason why it has been laid aside; and
  - (b) in the case of a certificate envelope laid aside pursuant to subsection 33.4 above, the ballot paper contained in the certificate envelope shall be deemed to be a spoiled ballot.
- 31.6.** The Municipal Electoral Officer shall ensure that the mail-in ballot envelopes returned to the office of the Municipal Electoral Officer are kept sealed and in safekeeping until the envelopes are delivered to the designated returning officer.
- 31.7.** The mail-in ballot envelopes shall be delivered to the designated returning officer prior to the time and place designated for counting the election ballots.
- 31.8.** All mail-in ballot envelopes received after the prescribed deadline shall remain sealed and be kept separate and shall be initialed by the returning officer and marked with the date and time of their receipt.

**32. Accepting and Counting Mail-In Ballots**

- 32.1.** The Municipal Electoral Officer shall set aside a mail-in ballot if
- (a) the elector's identification does not correspond to the application received at the office of the Municipal Electoral Officer;
  - (b) more than one mail-in ballot has been issued to an elector;
  - (c) the elector was not registered prior to the deadline; or
  - (d) the outer envelope was received after the prescribed deadline pursuant to subsection 27.4 above.
- 32.2.** The Municipal Electoral Officer shall deliver all Mail-in Ballots in their inner security envelope to the Returning Officer who will keep the ballots secured until they are delivered to the advance counting team at the place and time designated for counting advance ballots.
- 32.3.** At the time for counting the election ballots and in the presence of the poll clerk and agents the Deputy Returning Officer shall:
- (a) open the inner envelope remove the ballot; and



Town of Cornwall Municipal Election Bylaw

(b) have the advance poll deputy returning officer affix his or her initials to the ballot and without opening it place the ballot in the advance poll ballot box.

**33. Mail-In Ballot Offences**

**33.1.** Any person is guilty of an offence who:

- (a) attempts to obtain or communicate any information as to the candidate for whom any ballot paper has been marked by an elector;
- (b) interferes with, or attempts to interfere with an elector when marking a ballot paper, or otherwise attempts to obtain any information as to the candidate for whom any elector is about to vote or has voted;
- (c) knowingly applies for a ballot paper to which that person is not entitled;
- (d) makes any untrue statement in the application signed by that person to obtain a mail-in ballot; or
- (e) prevents or endeavours to prevent any elector from voting at an election.

**33.2.** Every person is guilty of an offence where, in order to induce or compel an elector to vote for any candidate or to refrain from voting, or on account of the elector having voted for any candidate or refrained from voting at an election, the person, directly or indirectly, personally or through any other person:

- (a) uses or threatens to use any force, violence or restraint, inflicts or threatens to inflict any injury, damage, harm or loss or in any manner practices intimidation on or against an elector; or
- (b) by abduction, duress or any false or fraudulent pretense, device or contrivance, impedes, prevents or otherwise interferes with the free exercise of the franchise of an elector.

**PART IX – ADMINISTRATIVE**

**34. Employee Election Activity**

**34.1** All Town of Cornwall employee municipal election activities and conduct shall be undertaken in accordance with Part 3, Division 4 of the Act.

**34.2** The Chief Administrative Officer, and the Heads of Town Departments are restricted from participating in any Town of Cornwall municipal election activity.

**35. Records**

**35.1.** Records pertaining to the election will be destroyed or retained, as the case may be, in accordance with section 87 of the *Municipal Election Regulations* and the Records Retention and Disposal Bylaw and where such bylaw has not yet been enacted, will be retained for at least seven years.

**36. Effective Date**

**36.1.** This Elections Bylaw, 2022-03, is effective on the date of formal adoption below.

**37. Repeal of Bylaw**

**37.1** Election Bylaw 2018-05 of the Town of Cornwall is hereby repealed by the formal adoption of this Bylaw.



Town of Cornwall Municipal Election Bylaw

**38. Forms**

**38.1** All forms required pursuant to this Bylaw are as approved by the Minister pursuant to the Act, the *Municipal Election Regulations* and the *Campaign Contributions and Election Expenses Bylaw Regulations*.

**38.2** Required forms are available at the municipal election office.

**FIRST READING:**

This Elections Bylaw, 2022-03, was read a first time by a majority of the Councillors present at the Council Meeting held on the 15<sup>th</sup> day of June 2022

This Elections Bylaw, 2022-03, was approved by a majority of the Councillors present at the Council Meeting held on the 15<sup>th</sup> day of June 2022


**SECOND READING:**

This Elections Bylaw, 2022-03, was read a second time by a majority of the Councillors present at the Council Meeting held on the 20<sup>th</sup> day of July 2022

This Elections Bylaw, 2022-03, was approved by a majority of the Councillors present at the Council Meeting held on the 20<sup>th</sup> day of July 2022

**APPROVAL and ADOPTION by COUNCIL:**

This Elections Bylaw, 2022-03, was adopted by a majority of the Councillors present at the Council Meeting held on the July 20<sup>th</sup> day of July 2022

  
Minerva McCourt, Mayor

  
Kevin Coady, Chief Administrative Officer

This Elections Bylaw adopted by the Council of the Town of Cornwall on the 20<sup>th</sup> day of July 2022 is certified to be a true copy.

  
Kevin Coady, Chief Administrative Officer

July 22, 2022  
Date