

THE CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

By-Law Number 22-06

Being A By-Law To Adopt a Municipal Election Recount Policy

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WHEREAS Section 56 (3) of the Municipal Elections Act authorizes a municipality to adopt a policy with respect to the circumstances in which the municipality requires the clerk to hold a recount of the votes cast in an election


AND WHEREAS Council of the Corporation of the Township of Elizabethtown-Kitley deems it expedient to adopt a recount policy in excess of the minimum Municipal Elections Act requirements;

NOW THEREFORE, the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. That the Municipal Election Recount Policy attached hereto as Schedule A be adopted.
2. That this By-law shall come into force and effect on the date of passing.

Read a **First and Second** time this 10th day of January, 2022.

Read a **Third** time and finally **Passed** this 10th day of January, 2022



MAYOR



CLERK

Schedule A to By-Law 22-06



The Corporation of the Township of Elizabethtown-Kitley

Policy and Procedure Manual

ADM	Policy Type:	Administrative/Council
Administrator-Clerk	Approval Date/By-law:	By-law 22-06
	Effective Date:	January 10, 2022
	Last Revision Date:	January 10, 2022

Conducting a Municipal Election Recount

1.0 Purpose and Goal

The *Municipal Elections Act* allows a Municipal Election Recount Policy be adopted by Council to give direction to the Returning Officer/Clerk under Section 56 (3) setting out recount perimeters beyond those set out within the Act.

2.0 Scope

The *Municipal Elections Act* provides for an automatic recount if the election results in a tie. The Act does not include provisions for a close vote election. The Municipal Election Recount Policy provides a transparent and consistent proves for dealing with recounts pertaining to a close vote.

This policy does not apply to candidates for school board trustee positions or for a question on the ballot at the request of another level of government. A request for a recount in these situations would be determined by the applicable school board or the applicable level of government.

3.0 Policy

The Retuning Officer/Clerk shall conduct recounts in accordance with the provisions of the *Municipal Elections Act*.

An automatic recount shall be conducted where the vote differential between the last available candidate(s) elected and the first candidate(s) not elected is equal to or less than one quarter of one percent (0.25%) of the total number of votes cast for the office, sounded up to the closest whole number.

Municipal Election Recount, continued

If the difference between the number of votes separating a candidate who was not declared elected and a candidate who was declared elected meets the close vote criteria, and upon receipt of a written request from the second-place candidate for a close vote recount, the Returning Officer/Clerk shall automatically conduct a recount as soon as practical.

For any vote difference outside of a close vote, it requires a written request to Council which will be presented to Council for direction to the Returning Officer/Clerk.

The Returning Officer/Clerk shall prescribe in a procedure the process and time frames to hold a recount required by this policy and shall ensure the procedures comply with all requirements set out in legislation.