



STANDARD OPERATING PROCEDURE – ME-2026-04

NOMINATION AND CERTIFICATION PROCEDURE

2026 MUNICIPAL ELECTIONS

Approved by:

A handwritten signature in black ink that reads "Cassandra Child".

**Cassandra Child, AOMC. Dipl.M.A.
Clerk/Returning Officer**

Town of Cochrane

March 5, 2026

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1. PURPOSE

- a) The purpose of this procedure is to establish a clear, consistent, and legally defensible process for the receipt, examination, certification, and management of nomination papers for municipal and school board elections, in accordance with the *Municipal Elections Act, 1996*, as amended.
- b) This procedure ensures that nominations are administered fairly, transparently, and consistently, while preserving the statutory authority and discretion of the Clerk.

2. LEGISLATIVE AUTHORITY

- a) This procedure is enacted under the authority of the *Municipal Elections Act, 1996* (the “Act”), including but not limited to sections 12, 33, 35, 36, 37, 38, and 39.
- b) Where the Act or Regulations conflict with this procedure, the Act shall prevail. This procedure also reflects the Clerk’s authority under section 12 of the Act to establish administrative procedures and forms necessary for the conduct of the election.

3. ROLES AND RESPONSIBILITIES

3.1 Clerk

Solely responsible for:

- a) Receiving nomination papers and prescribed or Clerk-authorized forms.
- b) Examining nomination papers for completeness and compliance.
- c) Certifying or rejecting nominations.
- d) Maintaining the official nomination record.
- e) Determining procedures, forms, and administrative requirements not prescribed by the Province, as permitted under section 12 of the Act.

3.2 Deputy Clerk

- a) The Deputy Clerk may carry out any function of the Clerk under this procedure when authorized to do so in writing and shall be bound by the same statutory obligations and standards.

3.3 Election Consultant

- a) An election consultant, if retained, may provide advisory or technical support to the Clerk but shall not:
 - i. Receive nomination papers.
 - ii. Examine or certify nominations.

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- iii. Communicate decisions to candidates; or
- iv. Exercise any statutory authority under the Act.

4. NOMINATION PERIOD

- a) Nominations shall be accepted only during the nomination period established under the Act.
- b) The Clerk shall publish the nomination period, including dates, times, and acceptable methods of filing, on the municipal website and through other communication channels as determined by the Clerk.

5. FILING OF NOMINATION PAPERS**5.1 Method of Filing**

- a) Nomination papers shall be filed:
 - i. In person by the candidate or an agent authorized in writing; or
 - ii. By any alternative method expressly authorized by the Clerk, where permitted by the Act.
- b) Nomination papers shall be accepted during regular business hours of the municipal office, or during such additional times as may be established by the Clerk. On Nomination Day, nomination papers shall be accepted until 2:00 p.m., in accordance with the *Municipal Elections Act, 1996*.
- c) Nomination papers submitted outside the nomination period or in a manner not authorized by the Clerk shall not be accepted.

5.2 Required Documentation

- a) A nomination shall include:
 - i. The prescribed nomination form for the applicable office (*Form 1 – Nomination Paper*).
 - ii. Any required endorsement signatures, where applicable (*Form 2 – Endorsement of Nomination*).
 - iii. Proof of identity and qualifying address, if requested by the Clerk.
 - iv. The prescribed filing fee.
- b) The Clerk may require additional information or forms to support the administration of the nomination process, provided such requirements do not conflict with the Act.

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6. EXAMINATION OF NOMINATION PAPERS

- a) Upon receipt of nomination papers, the Clerk shall examine the submission to determine whether it complies with the requirements of the Act.
- b) The Clerk may:
 - i. Review the form for completeness.
 - ii. Verify endorsements where required.
 - iii. Identify apparent defects or omissions.
- c) The Clerk is not required to accept nomination papers that are clearly incomplete or submitted without the prescribed filing fee.
- d) The examination of nomination papers is an administrative review only and does not constitute a determination of voter eligibility or qualification beyond what is required by the Act.

7. CERTIFICATION OR REJECTION OF NOMINATION

7.1 Certification

- a) If the Clerk is satisfied that the nomination complies with the Act, the Clerk shall certify the nomination and record the candidate as certified.

7.2 Rejection

- a) If the Clerk determines that a nomination does not comply with the Act, the Clerk shall reject the nomination and provide written notice to the candidate setting out the reason for rejection.
- b) Where permitted by the Act, and at the sole discretion of the Clerk, the Clerk may allow a candidate an opportunity to correct a defect prior to the close of nominations.

7.3 Schoolboard Trustee Nomination – Uncertain Jurisdiction

- a) Where trustee zone boundaries or lead municipality designations are unclear, inconsistent, or overlapping, the Clerk shall accept nomination papers that are complete and compliant on their face.
- b) The Clerk shall not refuse or invalidate a nomination solely on the basis of uncertainty respecting trustee zone assignment or jurisdiction.
- c) The Clerk may rely on the candidate's declaration of qualification and declared trustee zone and is not required to independently verify such assignment at the time of filing.

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8. WITHDRAWAL OF NOMINATION

- a) A candidate may withdraw their nomination by filing a written withdrawal with the Clerk using the prescribed Withdrawal of Nomination form (*Form EL19 – Withdrawal of Nomination*) in accordance with the Act and within the prescribed timelines.
- b) Withdrawals received after the statutory deadline shall not be accepted.

9. CANDIDATE COMMUNICATIONS

9.1 Official Communication Method

- a) All formal communications between the Clerk and candidates shall be conducted primarily by email, using the contact information provided by the candidate.

9.2 Questions and Clarifications

- a) Questions from candidates regarding the nomination process shall be submitted in writing via email.
- b) Where a question is of general application, the Clerk may:
 - i. Provide a response to the inquiring candidate; and
 - ii. Post the question and response on the municipal website to ensure fairness and consistency.

10. RECORDS AND TRANSPARENCY

- a) The Clerk shall maintain a complete and accurate record of:
 - i. All nominations received.
 - ii. Certification and rejection decisions.
 - iii. Withdrawals.
 - iv. Correspondence related to nominations.

- b) Nomination information shall be made publicly available as required by the Act.

11. FORMS

- a) Prescribed forms are issued by the Province of Ontario and are subject to change.
- b) Where forms are not prescribed, the Clerk may create and require the use of municipal forms under section 12 of the Act, provided such forms are consistent with legislative requirements.

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12. RELATED PROCEDURES

- a) Where another municipal procedure governs a step referenced in this procedure (including communications, records retention, accessibility, or website posting), that procedure shall apply.