

Staff Report

Report To: City Council
Report From: Briana Bloomfield, City Clerk
Meeting Date: September 22, 2025
Report Code: CR-25-109
Subject: 2026 Election Report No. 1

Recommendations:

THAT in consideration of Staff Report CR-25-109 respecting 2026 Election Report No. 1, City Council directs staff to bring forward a by-law to amend the Election Sign By-law as outlined in the report.

Highlights:

- The next municipal election is on Monday, October 26, 2026.
- Internet and telephone voting will be the method used for the 2026 municipal election.
- The new term of Council begins on Monday, November 16, 2026.
- Direction is required for any election related by-laws.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: This report supports the delivery of Core Service.

Climate and Environmental Implications:

There are no anticipated climate or environmental impacts.

Previous Report/Authority:

Municipal Act, 2001

Municipal Elections Act, 1996

Background:

Council is elected to a four-year term with the current term of Council set to expire on November 14, 2026. While the Clerk is responsible to conduct municipal elections, Council is the approval authority where issues require authorization by by-law. Preparation has begun for the 2026 municipal election and the following items are being brought to Council's attention for information and consideration.

Analysis:

Question on the Ballot

The *Municipal Elections Act, 1996* ("MEA") enables Council to pass a by-law to submit a question to the electors on the election ballot. The question must:

- Concern a matter within the jurisdiction of the municipality but not concern a matter which has been prescribed as a matter of provincial interest;
- Be clear, concise and neutral; and
- Be capable of being answered by a "yes" or "no".

Before passing a by-law directing the submission of a question to the electors, the Clerk must give at least 10 days' notice of the intention to pass the by-law and hold at least one public meeting. Following the passing of the by-law, notice must again be given within 15 days. The MEA prescribes the content of both the notice of intent to pass the by-law and the notice of passing. There is a 20-day appeal period.

For a question to be on the ballot for the 2026 municipal election, the process outlined above needs to be completed by March 1, 2026. For clarity, there could be more than one question on the ballot, but each question must be presented individually and follow the process outlined above.

Should Council wish to pursue a by-law to place a question on the ballot, a resolution requesting a staff report on the notice provisions, appeal provisions and determination of the question will be required.

Contribution Rebates

A municipality may, by by-law, provide for the payment of rebates for individuals who make contributions to candidates for office on the municipal council. Rebates would be funded by the municipality. The by-law shall

establish the conditions under which an individual is entitled to a rebate. The by-law may provide for the payment of different amounts to different individuals on any basis.

Traditionally, the City has declined to pass a by-law respecting contribution rebates and it has not been included in the election budget. Should Council be interested in taking a different approach, a resolution requesting a staff report will be required.

Language of Notice and Forms

Under the MEA, notice, forms and other information are required to be in English only unless Council passes a by-law allowing the use of French for prescribed forms and French or other languages, or both, in notices, forms and other information.

The MEA does require that notices, forms and other information be in both French and English where the information is related to an election for a French-language district school board. A by-law may also be passed in relation to these items to include other languages in addition to French and English.

Traditionally, the City has provided all notices, forms and other information in English only except the prescribed forms that must be in French and English. By-laws to require French or other languages where optional have not been enacted and would require a resolution of Council to initiate.

Recount Policy

The MEA provides the opportunity for a municipality to adopt a policy respecting the circumstances in which the municipality requires a recount. This type of policy would establish a threshold for when a recount must be taken. Absent a policy, the MEA provisions apply.

The MEA requires that a recount be held when:

- Two or more candidates receive the same number of votes and cannot both or all be elected to the office;
- A by-law submitted to the electors for approval has equal votes 'yes' and 'no';
- A question on the ballot has two or more answers with equal votes.

The MEA also allows the council of a municipality to pass a resolution, within 30 days of the declaration of results, to direct a recount for:

- All or specified candidates for an office on the council;

- All or specified answers to a question;
- Votes for or against a by-law.

A recount policy would require passage by by-law. The City does not currently have a recount policy as it has been previously determined that the provisions in the MEA are sufficient. A resolution of Council would be required to direct staff to bring forward a recount policy for consideration.

Election Sign By-law

In 2022, Council approved a standalone [Election Sign By-law](#). This by-law deals exclusively with signs related to federal, provincial and municipal elections which makes it easier for candidates to navigate the regulations.

In 2022, staff created an information sheet for candidates as a quick reference tool for the sign regulations. Attached to this staff report is the 2022 information sheet that will be updated for the 2026 election.

In reviewing notes from the 2022 election, the following changes to the Election Sign By-law are proposed by staff:

- Add a provision that election signs are not permitted in Owen Sound for candidates in municipal races that do not include electors from within the City (e.g. Georgian Bluffs candidates cannot erect signs in Owen Sound);
- Change "Election Help Centre" references to "Election Centre"; and
- Amend measurements relating to sign heights to address a typo.

In recent years, a number of municipalities have prohibited election signs on public property citing the: visual clutter; environmental impact; potential advantage for incumbents; cost of using election signs deterring potential candidates; cost of related enforcement issues and the principle that public space should not be used for advertising. If Council is interested in prohibiting election signs on public property or making any further changes to the by-law, a resolution of Council is required.

Financial Implications:

Notices of public meetings and intent to pass a by-law cost approximately \$500 each when placed in the local paper.

Introducing a contribution rebate policy could significantly impact costs, and no funding has been allocated for this in the current election budget.

Adding the requirement to produce notices, forms or other information in French or other languages will result in translation costs that have not, at this time, been factored into the election budget.

The overall election budget is \$80,000.

Communication Strategy:

Any by-laws will be accompanied by a public report and, where needed, a notice of public meeting or intent to pass a by-law will be given through the City's website and the local newspaper. All election related by-laws and information will be made available on the City's Election webpage. The webpage which will be launched in the new year.

Consultation:

Manager of Legislative Services

Attachments:

Election Sign Fact Sheet

Recommended by:

Briana Bloomfield, City Clerk

Kate Allan, Director of Corporate Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Briana Bloomfield, City Clerk at bbloomfield@owensound.ca or 519-376-4440 ext. 1247.