



## Report to Council

Department: Office of the CAO  
Division: Legal and Legislative Services  
Date: April 20, 2026  
Prepared by: Legal and Legislative Services/Clerk  
Report Number: Legal and Legislative Services-2026-13  
Subject: Election Complaints Policy attached hereto as Schedule  
**"A" to this report**  
Number of Pages: 4 plus attachments

### Recommendation(s)

**That** Legal and Legislative Services-2026-13 entitled Election Complaints Policy attached **hereto as Schedule "A" to this report** as prepared by Joe Malandruccolo, Director, Legal and Legislative Services/Clerk and dated April 20, 2026 be received.

### Purpose

To uphold a framework of responsibilities for a consistent approach for resolving election-related complaints directed to the Town by members of the public, candidates, registered third party advertisers and electors.

## Background and Discussion

In 2022 it was determined by the Town that better and more effective communication is required as to the process for acknowledging, reviewing and responding to complaints related to the Election. The improved communication as set out in this Policy addresses both how complaints are filed and directed and who has responsibility to receive and resolve any such complaints.

Attached hereto **as Schedule "A"** to this Report is the updated Election Complaints Policy 2026. This Policy continues to provide direction and information on the complaint and review process for various aspects of the election as well as the basis of authority to address such complaints.

The complaints policy comes into effect at the time of nominations opening on May 1, 2026 and remains in place until all the campaigns are closed following the submission of financial documents on December 31, 2026. Complaints can be made by any person through email, phone message, letter or using an online form, providing name and contact information of the complainant and a detailed description of the complaint. Anonymous complaints will not be accepted. The Clerk establishes that the acknowledgement of a complaint will be based on the method of delivery; email and online form inquiries will be acknowledged in one business day, telephonic inquiries will be acknowledged within two business days and inquiries submitted via letter will be acknowledged within four business days of receipt.

Specifically as it relates to the conduct of candidates during an election, a key point to note from the proposed policy is that the Clerk performs largely an administrative and procedural function related to the conduct of the municipal election but within the framework established by the Municipal Elections Act, 1996 ("**MEA**"). While Section 12 of the MEA gives the Clerk a wide range of powers to provide for any matter necessary *for conducting the election*, the Act specifically does not provide the Clerk with investigative or enforcement powers specifically as it relates to allegations that the MEA or other applicable legislation was

violated. Concerns that a candidate or other person may have violated either the MEA and/or any other legislation (i.e. Criminal Code etc.) should be addressed by contacting:

- Independent legal counsel for further advice if necessary; and/or
- the Ministry of Municipal Affairs which has ministerial responsibility for the MEA; and/or
- the Ontario Provincial Police.

**The Policy in Schedule “A” to this Report** has been updated for the 2026 regular municipal election and will need to be reviewed every four years, including after each Municipal election.

## Key Dates

**Friday, May 1, 2026** – Nomination and registration periods begin

- First day to file a nomination paper for the offices of Mayor, Deputy Mayor, Councillor and School Board Trustee
- First day to file a notice of registration as a third party advertiser

**Friday, August 21, 2026** – Nominations deadline

- Nominations may only be filed until 2:00 PM

**Monday, August 24, 2026** – Clerk’s Certification

- Official certification of candidate nominations by Clerk

**Tuesday, September 1, 2026** – Revision period starts

- **Revision of Voter’s List and Distribution of Voter’s List begins**

**Wednesday, September 26, 2026** – Certificate of Final Spending Limits

- Final spending limits provided to candidates and registered third party advertisers
- Final self-contribution limit provided to candidates running for Mayor, Deputy Mayor and Councillor

**Saturday, October 3, 2026** – Advanced Poll from 8:00 AM to 4:00 PM in Essex

**Wednesday, October 7, 2026** – Advanced Poll from 12:00 PM to 8:00 PM in McGregor

**Saturday, October 10, 2026** – Advanced Poll from 8:00 AM to 4:00 PM in Harrow

**Wednesday, October 14, 2026** – Advanced Poll from 12:00 PM to 8:00 PM in Colchester

**Friday, October 23, 2026** – Deadline for third party registration

- Last day to register as a third party advertiser

**Monday, October 26, 2026** – Election Day

- Voting is open from 10:00 AM to 8:00 PM

**Sunday, November 15, 2026** – New Council Term Commences

- New term of office commences

**Thursday, December 31, 2026** – End of Campaign Period

- Campaign period ends for candidates and third-party advertisers

## Financial Impact

None

## Consultations

Kate Giurissevich, CAO

Matthew Ducharme, Deputy Clerk

Kelly Walters, Elections Coordinator

## Link to Strategic Priorities

- Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- Leverage our Town’s competitive advantages to promote jobs and economic investment.**
- Take care of our natural environment and strengthen the sense of belonging to everyone **who makes Essex “home”.**
- Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives

## Report Approval Details

Document Title:	099 - Election Complaints Policy - Legal and Legislative Services-2026-13.docx
Attachments:	- Town of Essex Election Complaints Policy 2026.docx
Final Approval Date:	Apr 16, 2026

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink that reads "Kate Giurissevich". The signature is written in a cursive style and is positioned above the printed name.

**Kate Giurissevich, Chief Administrative Officer - Apr 16, 2026 - 2:58 PM**