

1970

## c 288 Municipal Franchise Extension Act

Ontario

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## CHAPTER 288

## The Municipal Franchise Extension Act

**1.**—(1) Subject to section 2, the council of a local municipality may pass a by-law providing for a resident voters' list. Resident voters' list

(2) Every person is entitled to be entered on the resident voters' list who, Qualification

(a) is or will be of the full age of twenty-one years on or before the 1st day of October in the year in which the resident voters' list is to be prepared;

(b) is a British subject by birth or naturalization;

(c) has resided in the municipality for the last twelve months next preceding the 1st day of January of the year in which the resident voters' list is to be prepared;

(d) is not entitled to be entered on the voters' list prepared under *The Voters' Lists Act*; and R.S.O. 1970,  
c. 485

(e) is not disqualified under any Act or otherwise prohibited by law from voting. R.S.O. 1960, c. 254, s. 1.

**2.** A by-law shall not be passed under section 1 until the following question has received the assent of the municipal electors at a regular municipal election: Question to be submitted to electors

Are you in favour of extending the right to vote at municipal elections for members of council to all persons of the full age of twenty-one years who are British subjects and who have resided in the municipality for at least one year in accordance with *The Municipal Franchise Extension Act*? R.S.O. 1960, c. 254, s. 2.

**3.**—(1) The names of the persons entitled to be entered on the resident voters' list shall be obtained by the assessor during the taking of the assessment in the year. Preparation of list

(2) The assessor shall call at least once at every place of residence in the municipality and shall secure the names and addresses of all persons who are entitled to be entered on the resident voters' list. Duties of assessor

(3) The assessor shall take all necessary precautions to ensure that his list, when complete, contains the names and addresses of persons entitled to be entered on the resident voters' list that he has been able to obtain and does not contain the name of any Idem

person not so entitled and he shall deliver such list to the clerk of the municipality not later than the day fixed for the return of the assessment roll.

Registration form

(4) Where the assessor is unable to obtain the required information at any place of residence, he shall leave such number of Form 1 as he considers necessary at such place of residence.

Filing of registration form

(5) When the name and address of any person entitled to be entered on the resident voters' list cannot be obtained by the assessor, such person may complete Form 1 and file it with the clerk of the municipality not later than the day fixed for the return of the assessment roll. R.S.O. 1960, c. 254, s. 3.

List to be prepared by clerk

4. The clerk of the municipality shall prepare the resident voters' list from the assessor's list and the Forms filed with him under subsection 5 of section 3 by listing the names and addresses appearing thereon, except those that also appear on the voters' list prepared under *The Voters' Lists Act*, in the same order as in such voters' list and, where the municipality is divided into polling subdivisions, shall prepare a separate list for each subdivision. R.S.O. 1960, c. 254, s. 4.

Application of R.S.O. 1970, c. 485

5. Sections 9 to 23 of *The Voters' Lists Act* apply *mutatis mutandis* to the resident voters' list. R.S.O. 1960, c. 254, s. 5.

Effect of certified list

6. The certified resident voters' list is final and conclusive evidence that every person named thereon is entitled to vote at municipal elections for members of council and on questions upon which the opinion of the electors is to be obtained where no expenditure of funds would result from an affirmative vote, except,

- (a) persons not resident in the municipality on the day of polling; and
- (b) persons guilty of corrupt practices at or in respect of the election in question, or since the list was certified. R.S.O. 1960, c. 254, s. 6; 1965, c. 79, s. 1.

Right to vote on matters mentioned

7. Notwithstanding any other Act, the persons named on the certified resident voters' list are not entitled to vote at a municipal election on any matter not specifically mentioned in section 6. 1965, c. 79, s. 2.

Persons on list not counted under R.S.O. 1970, c. 284

8. Persons entered on the resident voters' list shall not be counted as municipal electors for the purpose of section 34 of *The Municipal Act*. R.S.O. 1960, c. 254, s. 7.

Oath to be administered to voter

9. When a person entered on the resident voters' list is required to take an oath under section 94 of *The Municipal Act*, the oath shall be in Form 2. R.S.O. 1960, c. 254, s. 8.

10. Every person who knowingly makes an untrue statement to an assessor or in any form under this Act is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$100. R.S.O. 1960, c. 254, s. 9. Offence, untrue statement in form

FORM 1

(Section 3 (4, 5) )

THE MUNICIPAL FRANCHISE EXTENSION ACT

Municipality .....

Polling Subdivision No.....

I, the undersigned, hereby request that my name be entered in the resident voters' list and certify that the information given herein is correct.

Full name .....

Present address .....

Are you a British subject? .....

Are you or will you be twenty-one years of age or over on or before the 1st day of October (insert year)? .....

Have you resided in..... (name of municipality) for the last twelve months next preceding the 1st day of January (insert year)? .....

.....  
Date Signature

NOTE: If you wish your name entered on the resident voters' list, this form must be filed with the municipal clerk not later than (insert the day fixed for the return of the assessment roll).

## FORM 2

*(Section 9)*

## THE MUNICIPAL FRANCHISE EXTENSION ACT

## OATH TO BE ADMINISTERED TO A VOTER

You swear (*or solemnly affirm*):

1. That you are the person named or intended to be named by the name of..... in the resident voters' list now shown to you.
2. That you are a British subject by birth or naturalization of the full age of twenty-one years.
3. That you have resided in..... (*name of municipality*) for the last twelve months next preceding the 1st day of January (*insert year*) and that you reside in such municipality on the day of polling.
4. That you have not voted before at this election at this or any other polling place.
5. That you have not, directly or indirectly, received any reward or gift, nor do you expect to receive any, for the vote which you tender.
6. That you have not received anything, nor has anything been promised you, directly or indirectly, to induce you to vote at this election.
7. That you have not directly or indirectly, paid or promised anything to any person to induce him to vote or to refrain from voting at this election.

R.S.O. 1960, c. 254, Form 2.

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