



Candidate Guide

for the Town Special By-Election

Town of Middleton

2026

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FORWARD

This guide has been prepared by the Town of Middleton, based on the Candidates Guide to Municipal and School Board Elections 2024 prepared by the Nova Scotia Department of Municipal Affairs. This guide is to assist those who are contemplating offering for municipal elected office in the upcoming Municipal Special Election for the Town of Middleton. For more information on special elections, please refer to Section 13 of the *Municipal Elections Act* (MEA).

This guide is intended to inform prospective candidates on:

- Qualifications for nomination (including disqualifications for office)
- Nomination procedures
- Duties, obligations and responsibilities of candidates
- Duties, obligations and responsibilities of elected councillors

Presentation of the information in this guide is very general and subject to change, and prospective candidates should refer directly to the *Municipal Elections Act* for specific authority. A link to the Act is available electronically on the Town of Middleton website at:

<https://www.discovermiddleton.ca/upcoming-elections>

The Town of Middleton's special election will be done by **electronic voting (internet & telephone) only.**

CANDIDATES CHECK LIST

- 1) Decide you want to be nominated as Councillor for the Town of Middleton.
- 2) Check to ensure that you are eligible (age, citizenship, etc.).
- 3) Ensure that you are not disqualified from holding the office (occupation, residency, etc.). **The onus is on the person nominated for election to an office to file a *bona fide* nomination paper.** Council candidates must have paid taxes and charges that are liens on their property.
- 4) Appoint an official agent or file a declaration that you will be acting as your own official agent. The official agent must keep track of any campaign contributions and open a bank account for this purpose.
- 5) Note the name and office location of the Returning Officer (RO) for the election – Sara Marceau, Returning Officer can be contacted at election@town.middleton.ns.ca or by calling 902-825-4841 Ext 111. The office location is Town Hall located at 131 Commercial Street, Middleton. The mailing address is PO Box 340, 131 Commercial Street, Middleton, NS B0S 1P0.
- 6) Complete the nomination section of the nomination paper and determine the qualifications required for the electors who are eligible to nominate you for election to council.
- 7) Obtain the required number of signatures of qualified electors as nominators on your nomination paper. A nomination paper must be signed by at least **five** qualified electors whose names appear on the list of electors.
- 8) Complete and sign the “Oath and Consent” portion of the nomination paper. If you are away from the Town, you may in writing authorize your agent to do so.
- 9) Obtain a certificate that confirms your liens and your taxes are paid.
- 10) File your nomination paper with the Returning Officer on Nomination Day, May 19, 2026 no later than 4:00pm or by appointment only during the five business days preceding nomination day (May 11-15, 2026).
- 11) Appointments can be scheduled by contacting Sara Marceau, Returning Officer, at 902-825-4841 Ext 111 or by email at election@town.middleton.ns.ca. Once your nomination paper has been accepted by the Returning Officer, who accepts the nomination by signing the receipt, it is open for inspection by the public. Once accepted, the Returning Officer will provide you or your official agent with a copy of the list of electors entitled to vote for the office for which you are a candidate. Note that the list of electors is to be used for election purposes only and all of your copies must be returned after the election. The *Municipal Elections Act* does not allow the list to be open for inspection, disposed of or sold for other purposes.

12) **Election day (June 13) - don't forget to vote!**

13) Remove signs, posters and other election advertising within seven days of the ordinary polling day and return copies of the voters list including any electronic copies, or confirmation of the destruction or deletion of any electronic copies. Failure to do so is an offence.

14) Campaign contribution disclosure forms must be filed within 60 days of the election. Failure to file or filing late is an offence.

Questions? Please contact Sara Marceau, Returning Officer at 902-825-4841 Ext. 111 or by email at election@town.middleton.ns.ca or by visiting Town Hall at 131 Commercial Street



BECOMING A CANDIDATE FOR COUNCIL

WHAT ARE THE QUALIFICATIONS TO RUN FOR COUNCIL?

In order to run for council you must:

- Be 18 years of age at the time of nomination
- Be a Canadian citizen
- Be ordinarily resident in the town or in an area annexed to the town for six months preceding nomination day (by November 19, 2025) and continue to so reside.

DISQUALIFICATIONS – COUNCIL

A number of situations or occupations disqualify the following from seeking municipal office (section 18 of the *Municipal Elections Act*):

- Members of parliament or senators;
- Members of the legislative assembly;
- Members of a village commission;
- Judges;
- A person who accepts or holds office or employment in the service of the town, or any utility, board, commission, committee or official thereof, to which any salary, fee, wages, allowance, emolument, profit or other remuneration of any kind is attached, for so long he holds or is engaged in the office or employment unless the person is on a leave of absence pursuant to subsection 17C(2) of the *Municipal Elections Act*. (This disqualification does not apply to volunteer firefighters with the Middleton Fire Department);
- Councillors in another municipal unit;
- Persons who, within five years prior to nomination day, have been convicted of bribery or a corrupt practice contrary to the *Municipal Elections Act* or who have been disqualified from any office pursuant to the provisions of the *Municipal Conflict of Interest Act*

REQUIREMENT TO PAY TAXES AND LIENS – COUNCIL

To qualify for nomination to council, you must ensure that all town charges that are taxes and liens that are due have been fully paid, and, if a town has provided for payment of taxes by installment or interim payments, all installments or interim payments due as of nomination day must be paid. You must obtain a certificate from the town to this effect, which must be filed with your nomination paper. This applies even if you do not own property or owe taxes.

KEY DATES FOR QUICK REFERENCE

Date	Description	Location
November 19, 2025	Residency required to qualify as a candidate	
Tuesday, May 19, 2026 no later than 4:00pm	Nomination Day (nominations can be filed by appointment only with the Returning Officer in the five business days prior to nomination day)	131 Commercial Street, Middleton (Town Hall)
Wednesday, May 20, 2026 (no later than 4:00 pm)	Last day for candidate to withdraw	
Thursday, June 4, 2026	Advance Poll starts at noon and continues 24 hours per day until Election Day, due to electronic voting (computer & telephone)	
Saturday, June 13, 2026	Ordinary Polling Day (Election Day)	Middleton Fire Hall 49 Church Street

HOW DO I BECOME A NOMINATED CANDIDATE FOR COUNCIL?

COMPLETE THE NOMINATION PAPER FOR COUNCIL - YOU WILL NEED:

- At least five (5) qualified electors who will sign the nomination paper and nominate you as a candidate. The names of the people who sign your nomination paper must appear on the list of electors and they must be qualified to vote for you. This means that they must be eligible to vote in the municipal boundary in which you are running, and to vote for the office for which you are running. You should get more than five people to sign your nomination paper in the event one or more of your nominators is not qualified.
- The name of your official agent. Your official agent is responsible for filing your campaign finance disclosure forms following the election and can act on your behalf at certain times. You can act as your own official agent but cannot act as such at the polls.
- Complete the Consent and Oath or Affirmation of the Candidate. The Oath or Affirmation of the Candidate must be sworn. The Returning Officer or another person who is qualified to take oaths must take your Oath or Affirmation (Section 146). The Oath or Affirmation states that you consent to the nomination, that you are qualified to run, that you have paid your taxes and any charges that are liens on property (council candidates), and that you will accept the office, if you are elected.

PROVIDE A CERTIFICATE RESPECTING TAXES FROM THE TOWN

The certificate must be signed by the town official who is qualified to do so. The certificate indicates that all taxes and charges that are liens that you owe to the town have been paid as of nomination day and, if the town has provided for payment of taxes by installment or interim payment, all installments or interim payments due as of nomination day must be paid. This is required whether or not you owe taxes or own property. Include the certificate with your nomination paper when it is filed.

You are Officially Nominated once the Returning Officer is satisfied that you have met the requirements for nomination. The Returning Officer will sign the receipt on the nomination paper, and then you are officially nominated as a candidate for council.

WHEN DO I FILE MY NOMINATION PAPER FOR COUNCIL?

Nomination day is **Tuesday, May 19, 2026**, between 9:00am and 4:00pm. You may file your nomination papers early, starting five business days before nomination day (May 11-15, 2026), by appointment **ONLY** with the Returning Officer by calling 902-825-4841 ext. 111, emailing election@town.middleton.ns.ca or coming in person to Town Hall at 131 Commercial Street.

Candidates are encouraged to file early, so that any potential problems can be resolved prior to the deadline. If you cannot personally file the nomination paper during these times, your official agent can complete and file it for you. You must authorize your official agent in writing to do this on your behalf. The written authorization must be filed in advance with the Returning Officer, or along with your

nomination paper. As soon as you file your nomination paper, the information about your candidacy becomes public information.

CAN I CHANGE MY MIND ABOUT RUNNING FOR COUNCIL?

You can withdraw as a candidate up to 4:00 p.m. on Wednesday, May 20, 2026. After that date, your name must appear on the ballot. You can ask for a change in how your name appears on the ballot paper up to 4:00pm on Wednesday, May 20, 2026.

WHEN CAN I GET THE LIST OF ELECTORS?

Once your nomination papers are filed, the Returning Officer will provide you with the list of electors. If you are running for council, the Returning Officer will give you a copy of the amended list of electors.

WHAT ARE MY RESPONSIBILITIES FOR THE LIST OF ELECTORS?

The list of electors can be used for electoral purposes only. This means that candidates can use the list for campaigning for election, persons working on your campaign, and your agents in the polling stations, can also use it. Once the election is over, candidates must return all copies of the list of electors in your possession, including electronic copies, or confirmation of the destruction or deletion of the list of electors (this includes copies you may have given to persons working on your campaign). While the list of electors is in your possession, it cannot be open for inspection (except for an electoral purpose), disposed of or sold.

A CANDIDATE MUST HAVE AN OFFICIAL AGENT

All candidates are required to have an official agent who is responsible for taking contributions for the candidate's campaign and recording the information about the donors. A candidate can appoint someone or act as his/her own official agent by selecting the option on Form 17.

Whether you appoint an official agent or act as your own official agent is a decision that you will have to make, depending on the size of your campaign and your own personal inclinations.

There are no qualifications to be an official agent, but the candidate should select someone responsible, who will be able to keep track of the funds donated and make the necessary reports.

WHEN DO I NEED TO APPOINT AN OFFICIAL AGENT?

The legislation recognizes that you can be considered a "candidate" before you file your nomination papers. Nomination papers can only be filed between May 11 - 15, 2026, but you may begin organizing your campaign or campaigning before that time.

As soon as you begin to accept contributions, you must have an official agent appointed. The appointment of your official agent must be in writing. Form 17 can be used for this purpose. The official agent must take the oath in Form 17A. The appointment of an official agent must take place no later than the close of nominations on nomination day (May 19, 2026 by 4:00pm). If you are acting as your own official agent, you must indicate this on your nomination paper. At any time before ordinary

polling day, a candidate may dismiss an official agent and appoint another official agent by stating these facts in writing to the Returning Officer. If you are acting as your own official agent, you can subsequently appoint an official agent before the close of nominations on nomination day.

WHAT CONTRIBUTIONS NEED TO BE DISCLOSED?

Even though the official agent must record the amount and source of all contributions, **only contributions which exceed \$50.00 that have been received need to be disclosed.**

Even though contributions more than \$50.00 need to be disclosed, remember that the contributions can be cumulative. For example, a contributor might give \$25.00 at one time, and then another amount later. If the contributor gives a second amount which exceeds \$25.00, then the contributions become reportable even if individual contributions do not exceed \$50.00.

FILING THE DISCLOSURE STATEMENT

The Disclosure Statement is in Form 40 for candidates and in Form 41 for associations.

ARE THERE ANY RULES ABOUT CAMPAIGNING IN AN ELECTION?

You can begin campaigning at any time. You or your representatives are entitled to lawfully campaign in locked multiple unit buildings or condominium complexes, during reasonable hours. You must approach the superintendent or building management to gain access to the building. Obstruction is an offence. You can campaign on Election Day, but you cannot loiter or solicit votes around a polling place or within 200 feet of a polling place. A candidate who is loitering or soliciting votes can be ordered away by the Returning Officer and can be arrested for disobeying the order. No one can wear partisan buttons or other materials within 200 feet of the wall of a building containing a polling station on Election Day.

WHAT ABOUT ELECTION ADVERTISING?

All printed election material must be identified. Every advertisement having reference to an election that is printed, published, broadcast or distributed, either electronically, or in hard copy, must indicate the name of the person on whose behalf the advertisement is published, printed, broadcast or distributed.

All advertising published in a newspaper or other publication must state the name of the person on whose behalf it is published.

Candidates are responsible for all advertisements made on their behalf. Failure to comply with these provisions is an offence.

A tenant or owner of a condominium unit may display election advertising on their own leased or owned premises, subject to any reasonable conditions relating to size or type of election posters that may be set by the landlord or condominium corporation. A landlord or condominium corporation may prohibit election advertising posters in common areas.

There are also rules concerning the posting of materials along provincial highways, town streets and roads, as well as prohibitions against posting signs on power or telephone poles. Check with your town office for more information.

You can advertise on Election Day, **with the exception that there can be no election advertising material placed, posted or distributed within 200 feet of a wall of a building in which a polling station is situated.** It is an offence to post or display such advertising. If such advertising is placed in violation of this provision, the Returning Officer can have it removed and deduct the cost of removal from your candidate's deposit.

If you or your representatives are transporting electors to the polls, remember that the prohibition against election signage within 200 feet of the polling place applies to advertising affixed to vehicles.

WHAT ARE THE VOTING DAYS AND TIMES?

Advance polling starts **Thursday June 4, 2026, from 12:00pm** and continues 24 hours per day through **until Election Day**, due to electronic voting (Telephone & Internet). If voters do not have access to either, a polling station will be set up at the Town Hall, 131 Commercial Street, Middleton, on weekdays from 8:30am - 4:00pm.

Election Day: Saturday, June 13, 2026, from 8:00am – 7:00pm. A polling station will be set up at the Middleton Fire Hall, 49 Church Street, Middleton.

POST-ELECTION RESPONSIBILITIES:

Within seven (7) days of election day (June 20, 2026) a candidate must:

- remove all election advertising material,
- complete and file with the Returning Officer an affidavit in Form 12, and
- return all copies of the lists of electors in the candidate's possession, including any electronic copies, or confirmation of the destruction or deletion of any electronic copies, to the clerk or Returning Officer, as the case may be.

Within 60 days of election day (August 12, 2026):

A Disclosure Statement must be filed. The legislation places the responsibility on the candidate to file the Disclosure Statement, even if the Statement is prepared by your official agent.

BASIC DUTIES AND RESPONSIBILITIES – COUNCIL

WHAT IS MY OATH OF OFFICE?

... I will truly, faithfully and impartially execute the duties of the office to which I have been elected to the best of my knowledge and ability.

... I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or other undue execution of the duties of my office...

The above words from the "Oath or Affirmation of Allegiance and of Office" are taken by each councillor at the first meeting of the council after the election. The words place a heavy burden on the elected official to accept and discharge, in a conscientious and forthright manner, the duties, obligations, and responsibilities of office.

WHAT ARE MY PERSONAL RESPONSIBILITIES?

Once elected, it is important to remember that you have requested and received the trust of the electorate to be their representative. It will be your duty to keep the electors informed as to how you are discharging the trust and confidence, they have placed in you.

You will have a duty to strive to improve the finances, health, security, and quality of life in your town.

You will have a personal responsibility to fulfil the obligations of the office with impartiality and integrity to the best of your ability. To do this:

- Become informed about the problems that face your town today.
- Become informed about your council's legal powers and limitations to solve these problems.
- Make decisions without fear, favour, or evasion - and always in the best interest of the whole town.
- Resist the pressures of groups of your electors organized for selfish purposes.
- Be prepared to serve on committees of council and accept other duties as assigned by council.
- Share information that you may receive from outside agencies, conferences, training sessions, or meetings with other members of council.
- Be prepared to accept responsibility for majority decisions of council - even though it may mean supporting a decision that you did not support with your vote.
- Try to create an intelligent interest in community and public affairs within your town.

WHAT IS THE STRUCTURE OF COUNCIL?

The council is composed of seven (7) elected officials - both the mayor and six (6) councillors.

The mayor is the head of council. He or she presides as the chair at all council meetings and maintains order, proper conduct and decorum at these meetings. He or she will usually act as spokesperson for the town at special town or community functions and with the media.

In the decision-making process, all councillors, including the mayor, are equal - they each have one vote. By virtue of his or her position, the mayor may be able to persuade other councillors to follow his or her lead, but in the final result, the mayor has no more power in council than any other member.

If elected, you may be asked to serve on a number of the various standing and special **committees of council**. It is at the committee level that many matters are given detailed scrutiny before formal consideration is given by council.

Standing committees of town council generally relate to such matters as accessibility, source water, planning, finance, police advisory, and bylaw amendments. Special committees are also appointed in relation to special tasks or projects.

WHAT ARE MY RESPONSIBILITIES AT COUNCIL MEETINGS?

It is the duty, obligation and responsibility of every council member to attend all meetings of council and take part in debates, discussions and decisions on town business. In these meetings, it is important to listen to other members of council and to collectively reach decisions that are in the best interest of the whole town. If you have a personal monetary interest in a matter under consideration by council, then you must not take part in the discussion or vote on such a matter. Under the terms of the *Municipal Conflict of Interest Act* for a closed meeting, you must leave the room until the question has been dealt with. If the meeting is open, you may simply leave the table and sit in the public gallery.

HOW DOES COUNCIL MAKE DECISIONS?

Council decisions are expressed in the form of either a **bylaw, policy or resolution**.

Bylaws are the formal enactment, under the seal of the town, of rules and regulations **adopted by council to regulate conduct** in the town. Bylaws may be viewed as the municipal equivalent of provincial or federal legislation.

Policies are decisions of council that generally they concern the administrative affairs of the town. Policies often concern fees or other matters to which the public may want to have regular access.

Resolutions are less formal. A resolution expresses the decision of council on a particular matter submitted to it in the form of a motion, as moved and seconded, and adopted by a majority vote. Although not as formal as a bylaw, a resolution, once adopted by council, will normally be as binding as a bylaw until it is reversed or amended.

Council decisions are made by following **rules of procedure** (Council Procedural Policy). The procedure, agenda and general rules governing the council and its meetings may be laid down in a municipal procedure policy or bylaw. Rules are designed to assist council in conducting its business in an efficient and orderly manner. You may contact your town office to inquire about a copy of the procedure policy or bylaw.

WHAT IS THE RELATIONSHIP BETWEEN THE COUNCIL AND THE ADMINISTRATION OF THE TOWN?

Ideally, council formulates policy and makes decisions, while staff implements these policies and decisions.

You should avoid the temptation to become a quasi-administrator. You should leave day-today administrative matters to the staff and concentrate on your role in providing them with clear and concise policy direction. Council-administration relations should be based on respect and mutual trust.

You will find it helpful to familiarize yourself with the various services provided by your town. This can be done by consulting the Chief Administrative Officer or the appropriate department head. In addition, you should familiarize yourself with the organizational chart of the town so that you have a clear picture of the personnel responsible for specific services and any staffing requirements.