

# Election Procedures



Authorized by **Carmen Miller, Returning Officer**

## 1.0 Definitions

- a) **Act** means the *Municipal Elections Act, 1996*, S.O. 1996, C. 32, as amended.
- b) **Advanced Vote** means the location, dates and hours for casting a printed Ballot prior to Voting Day.
- c) **Automated Vote Tabulation System** means a system that includes all of the components and subcomponents used in an election to tabulate and report results.
- d) **Ballot** means a piece of paper or an image on a computer screen of a ballot card for an election to be voted for, including all choices available to the electors and containing spaces in which the electors mark their votes; or when voting using a touchtone telephone, an audio set of instructions which describe all choices available to the electors and instruction to mark their selection by depressing the numbered touchtone keypad.
- e) **Ballot Box** means a cardboard container that counted Ballots are automatically deposited into by the Tabulator.
- f) **Ballot Marking Pen** means the designated marking pen provided to an elector to mark the Ballot.
- g) **Cancelled Ballot** means a ballot that has been marked by an elector:
  - i. and its marks cannot be properly read by a Tabulator and the elector requests a subsequent Ballot to properly record their vote; or
  - ii. that has been inadvertently spoiled by an elector and the elector requests a subsequent Ballot from the Designated Election Official to properly record their vote.
- h) **Candidate** means a person who has been nominated under Section 33 of the Act.
- i) **Certified Candidate** means a candidate whose nomination has been certified by the Clerk under Section 35 of the Act.
- j) **Clerk** means the Clerk of the municipality who is responsible for conducting municipal elections under the authority of the Act. All references to the Clerk for the purposes of this manual shall mean the Returning Officer. All references to Clerk's designate shall mean the delegated duties of the Returning Officer.
- k) **Compact Flash Card** means the pre-programmed memory card that is sealed in the Tabulator containing all Candidate information.

- l) **Corporation** means a firm that meets certain legal requirements to be recognized as having a legal existence, as an entity separate and distinct from its owners. Corporations are owned by their stockholders or shareholders who share in profits and losses generated through the firm's operations. A legal entity has legal capacity to enter into agreements or contracts, assume obligations, incur and pay debts, sue and be sued in its own right, and to be held responsible for its actions. A Corporation may include a numbered company, a co-op, an incorporated company, an association, a partnership, a proprietorship, a trust, etc. It excludes sole-proprietorship as it's not a legal entity. A legal entity cannot vote, only a person can vote.
- m) **Declined Ballot** means a Ballot that has been returned by an elector who does not wish to vote.
- n) **Deputy Returning Officer** means a person appointed by the Clerk for each Voting Place who will be delegated specific duties and powers by the Clerk.
- o) **Election Campaign Advertisement** means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a Candidate.
- p) **Election Official or Designated Election Official** means the Clerk or other person appointed in writing by the Clerk to carry out election duties under the Act. An Election Official can only carry out the tasks and duties as assigned in writing by the Clerk and must take the prescribed oath.
- q) **Friend** means a person who has been requested by an elector to assist them in the voting process.
- r) **Help Centre** means the Municipal Office where electors can attend to make additions, deletions and corrections to the Voters' List and receive assistance and clarification on the election process. The Help Centre is supplied with a telephone and internet connection to accommodate voting during the Voting Period. The ability to vote at the Help Centre will be limited to Regular Office Hours during the Voting Period, save and except on Voting Day when the offices will remain open until 8:00 pm. A printed Ballot will not be available at the Help Centre.
- s) **Municipal Office** means the Township of Whitewater Region administration building located at 44 Main Street, Cobden ON.
- t) **Normally Resident in Ontario** means the place in which an individual regularly returns if their presence is not continuous.
- u) **Owner or Tenant** means a person who is the owner or tenant shown on the assessment roll of land assessed under the *Assessment Act* and a non-

residential tenant of land assessed under the *Assessment Act*, whether or not the tenant is shown on the assessment roll, but does not include an owner or tenant of land who is entitled to use the land under a time share contract unless the person is entitled to use the land,

- i. on Voting Day, or
- ii. for a period of six weeks or more during the calendar year in which Voting Day of the election is held.

Tenant includes an occupant and a person in possession other than the Owner or the spouse of such Owner or Tenant.

- v) **Password** means an additional access control assigned to each authorized user to provide additional security for access to the voting system.
- w) **Personal Identification Number (PIN)** means a unique multiple digit number assigned to each voter to provide security for access to the voting system.
- x) **Preliminary List of Electors (PLE)** means a list of electors for the municipality compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the municipality by August 21, 2022.
- y) **Proof of Identification** means proof of identity and residence as prescribed in O. Reg. 304/13 of the Act.
- z) **Regular Office Hours** means Monday to Friday, 8:30 a.m. to 4:00 p.m.
- aa) **Registered Third Party or Third Party Advertiser** means an individual who is normally resident in Ontario, a Corporation that carries on business in Ontario or a Trade Union that holds bargaining rights for employees in Ontario, and who's Notice of Registration for Third Party Advertiser has been certified by the Clerk.
- bb) **Restricted Period for Third Party Advertisements** means the earliest day that an individual, Corporation or Trade Union is permitted to file a notice of registration as a Registered Third Party and ends at the close of voting on Voting Day.
- cc) **Results Tape** means the printed record generated from the memory card within the Tabulator for Advanced Voting that represents the number of votes cast for each Candidate.
- dd) **Scrutineer** means an individual, appointed in writing by a certified Candidate, to represent them during the voting process, or by an elector in the case of a recount.

- ee) **Security Key** means the electronic key that enables the Designated Election Official to access various menu options on the Tabulator including but not limited to opening polls, closing polls, reports and administrative options.
- ff) **Third Party Advertisement** means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a Candidate, but does not include an advertisement by or under the direction of a Candidate, or an advertisement that incurs no expenses in relation to the advertisement, or an advertisement that is transmitted to employees, shareholders, or directors of the Registered Third Party.
- gg) **Trade Union** means a trade union as defined in the *Labour Relations Act, 1995* or the *Canada Labour Code* (Canada) and includes a central, regional or district labour council in Ontario.
- hh) **Time/Clock** - means the time as indicated by the National Research Council Canada Web Clock (official times across Canada)  
[https://www.nrc-cnrc.gc.ca/eng/services/time/web\\_clock.html](https://www.nrc-cnrc.gc.ca/eng/services/time/web_clock.html)
- ii) **Voter Information Letter** means a letter containing a PIN and Password, a telephone access number and an internet address for voting, and other details to assist the elector with voting, including the location, date and times for Advanced Voting. These letters shall be mailed individually to every person on the Voters' List or provided by Election Officials to persons who have completed an application for inclusion on the Voters' List.
- jj) **Voters' List** means the Preliminary List of Electors, as corrected by the Clerk, under the provisions of Section 22 of the Act.
- kk) **Voting Day** means the final day for voting in an election and shall be Monday, October 24 2022 with the close of voting to be at 8:00 p.m.
- ll) **Voting Period** means the period in which an eligible voter may cast their vote, either via internet or telephone and shall span from Friday, October 14 at 10:00 a.m. to Monday, October 24, 2022 at 8:00 p.m.
- mm) **Voting Place** means the location for the purpose of casting a printed Ballot during the Advanced Vote as established by the Clerk.
- nn) **Voting Privacy Sleeve** means a folder an elector uses to place a Ballot in so as to conceal the names of the Candidates and any marks upon the face of the Ballot.
- oo) **Vote Tabulator** means the machine that optically scans Ballots to read the votes cast during the Advanced Vote and tabulates the results.

- pp) **Zero Report** means the printed record generated from the memory card within the Tabulator and from the Telephone/Internet system, prior to the opening of the Voting Period and Advanced Voting, indicating that there are no votes cast for any Candidate.

## 2.0 Authority

- (1) These procedures and forms apply to an election conducted by the Clerk of the Township of Whitewater Region under the *Municipal Elections Act, 1996*.
- (2) The administration of the election shall be conducted in accordance with the principles of the Act generally recognized as being:
  - a) the secrecy and confidentiality of individual votes is paramount;
  - b) the election should be fair and non-biased;
  - c) the election should be accessible to all electors;
  - d) the integrity of the process should be maintained throughout the election;
  - e) there be certainty that the results of the election reflect the votes cast;  
and
  - f) the electors and candidates should be treated fairly and consistently.
- (3) The Clerk is responsible for conducting elections, including responsibility for:
  - a) preparing for the election;
  - b) preparing for and conducting a recount in the election;
  - c) maintaining peace and order in connection with the election; and
  - d) in a regular election, preparing and submitting the accessibility plan and report.
- (4) The Clerk may provide for any matter or procedure that is not otherwise provided for in an Act or regulation, and in the Clerk's opinion is necessary or desirable for conducting the election.
- (5) The Clerk has the power to establish forms, including forms of oaths and statutory declarations, and power to require their use.
- (6) Any unforeseen cases not dealt with in these procedures will be recorded by the Clerk.

- (7) With respect to an election held for offices of a Municipal Council and an English public or separate school board, notices, forms and other information provided under this Act shall be made available in English only.
- (8) Section 9.1 of the Act requires notices, forms and other information provided under the Act to be made available in both English and French for the election of Members of a French-language district school board.

## **4.0 Nominations**

### **4.1 Nomination Papers [s.33]**

- (1) The giving of notice for nominations shall be placed, as a minimum, in a local newspaper prior to May 1, 2022 and in one (1) conspicuous place in the municipality and on the municipal website.
- (2) The Nomination Form for the following offices will be available at the Municipal Office from the first business day of May in 2022 to Thursday, August 18, 2022 during Regular Office Hours, and between 9:00 a.m. and 2:00 p.m. on Friday, August 19, 2022 (Nomination Day): **(1) Mayor, (1) Deputy Mayor, (5) Councillor.**
- (3) Nominations must be made in person or through an agent with the prescribed declaration by at least 25 persons endorsing the nomination who are eligible to vote in an election for an office.
- (4) The prescribed nomination filing fee of \$200.00 for Mayor and \$100 for all other offices shall be paid by cash, debit card, certified cheque or money order payable to the municipality with Proof of Identification.
- (5) No faxed or other electronically transmitted nomination paper will be accepted as original signatures are required.
- (6) Nomination papers for school boards must be obtained and filed at the appropriate Municipal Office for the following offices:
  - (1) School Board Trustee – English Public  
Township of Whitewater Region
  - (1) School Board Trustee – English Separate  
Town of Renfrew
  - (1) School Board Trustee – French Public  
Town of Petawawa
  - (1) School Board Trustee – French Separate  
Town of Petawawa

- (7) If a person is present at the Municipal Office on Nomination Day at 2:00 p.m. and has not yet filed a nomination, they may file the nomination as soon as possible after 2:00 p.m.
- (8) A Commissioner of Oaths of the Township of Whitewater Region shall administer the necessary oaths on the Nomination Form. The date and time of filing are to be filled in by the Election Official.

#### **4.2 Estimated Maximum Campaign Expenses [s. 88.20(6)]**

- (1) The Clerk shall calculate the estimated maximum campaign expenses for each office and provide a copy to the Candidate or their agent the day that the Nomination Paper is filed in accordance with Section 33.0.1(1). The Clerk's calculation is final.
- (2) For Council positions, an estimate shall be provided as to the maximum combined self-contribution by the Candidate and/or their spouse.
- (3) The Clerk shall before Voting Day provide a notice of penalties to the Candidate or their agent.

#### **4.3. Unofficial List of Candidates**

The Clerk shall provide notice of the unofficial list of Candidates to be posted on the municipal website and at the Municipal Office which is to be updated as each Nomination Paper is filed. The list should be clearly marked "UNOFFICIAL".

#### **4.4 Certification of Nomination Papers [s. 35]**

On or before Monday, August 22, 2022, at 4:00 p.m., the Clerk will do a review of each nomination received to determine qualification and if the nomination complies with the Act.

#### **4.5 Rejection of Nomination Paper [s.35(3)(4)]**

If the Candidate is not qualified to be nominated, or the nomination does not comply with the Act, the Clerk will reject the Nomination and their decision is final. A telephone call shall be made to the Candidate informing them of the rejection, and notice shall be sent by email to the person who sought to be nominated and all Candidates for the office.

#### **4.6 Withdrawal of Nomination Papers [s. 36]**

- (1) Candidates may withdraw in writing and in person before 2:00 p.m. on Nomination Day or at the same time on the Wednesday following Nomination Day if the person was nominated under Additional Nominations.



- (2) The withdrawal shall be noted on the Unofficial List of Candidates.

#### **4.7 Official List of Candidates**

The final list of certified Candidates will be posted on the municipal website and at the Municipal Office on or before Friday, August 26, 2022.

#### **4.8 Declaration of Election [s. 40]**

- (1) If after 4:00 p.m. on Monday, August 22, 2022 the number of certified nominations filed for an office is more than the number of persons to be elected to the office, the Clerk shall declare an election to be conducted.
- (2) The Clerk shall give the electors notice of:
  - a) the location of the Voting Places
  - b) the dates and times on which the Voting Places will be open for voting
  - c) the manner in which electors may use Internet/Telephone voting
  - d) the dates and times of the Voting Period
  - e) the location and hours of operation for the Help Centre.
- (3) The Clerk shall post the notice on the municipal website and at the Municipal Office and in a publication having general circulation in the municipality.

#### **4.9 Acclamations [s. 37(1)]**

If after 4:00 p.m. on Monday, August 22, 2022, the number of certified Candidates for an office is the same as or less than the number to be elected, the Clerk shall immediately declare the Candidate(s) elected by acclamation and post notice on the municipal website and at the Municipal Office. In this situation there shall be no election conducted for this position(s).

#### **4.10 Fewer Number of Nomination Papers than Offices [s. 33(5)]**

If at 4:00 p.m. on Monday, August 22, 2022, the number of certified nominations filed for an office is less than the number of persons to be elected to the office, additional nominations may be filed between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022. The Clerk shall post a notice on the municipal website and at the Municipal Office advising that additional Nomination Papers may be filed for that office during the specified time. If at 2:00 p.m. on Wednesday, August 24, 2022, additional Nomination Papers have been filed, the procedure to certify or reject Nomination Papers shall be followed.

#### **4.11 Additional Nominations More than Number of Offices Remaining [s. 33(5)]**

If between 9:00 a.m. and 2:00 p.m. on Wednesday, August 24, 2022, there are more than a sufficient number of certified Nominations to fill the office(s), an election shall be conducted with the names of the persons who have filed certified Nomination Papers.

#### **4.12 Additional Nominations Equivalent to Number of Offices [s. 35(2) & s. 37(2)]**

If at 4:00 p.m. on Thursday, August 25, 2022 there is a sufficient number of certified Nomination Papers filed to fill the office(s), the Clerk shall cause to be posted a Declaration of Acclamation to Office - Additional Nominations on the municipal website and at the Municipal Office.

#### **4.13 Filling Vacancies [s. 37(4)]**

If an office remains vacant after the declaration of Candidates by acclamation and the declaration of the election of Candidates following the conduct of the election for offices on the Municipal Council, the following rules apply:

- a) If the number of Candidates declared elected is insufficient to form a quorum of the Municipal Council, a by-election shall be held.
- b) If the number of Candidates declared elected is less than the number of positions for an office of the Municipal Council, but does form a quorum, Section 263 (1) (a) of the *Municipal Act, 2001* shall apply.

#### **4.14 Death or Ineligibility of a Candidate [s. 39]**

- (1) If a certified Candidate dies or becomes ineligible before the close of voting and if the result would be one less Candidate only and no acclamation, the person's name shall be omitted from the Ballot. If the Ballots are already printed, the Clerk shall at a minimum, post the notice of the death or ineligibility in a conspicuous place in every Voting Place and Help Centre and the election shall proceed as if the deceased or ineligible Candidate has not been nominated.
- (2) If the result would be an acclamation for an office, the election to such office is void and a by-election for such office shall be held provided that the 60-day period starts as of the date of death or ineligibility.

#### **4.15 Final Calculation of Campaign Expenses [s. 88.20 (13)(14)(15)]**

- (1) The Clerk shall, after determining from the number of eligible electors from the Voters' List for each office, calculate the maximum amount of campaign

expenses that each Candidate may incur for that office. The certificate shall be given to each Candidate on or before September 26, 2022.

- (2) The number of electors to be used in this final calculation is to be the greater of the following:
  - a) the number determined from the Voters' List from the previous regular election, as it existed on September 15 in the year of the previous election, adjusted for changes under Section 24 and 25 that were approved as of that day;
  - b) the number determined from the Voters' List for the current election as it exists on September 15 in the year of the current election, adjusted for changes under Section 24 and 25 that were approved as of that day.  
[Section 88.20 (11)]
- (3) The expenses of a Candidate that are for the holding of parties and making other expressions of appreciation after the close of voting shall not exceed an amount calculated in accordance with the prescribed formula. The formula that is prescribed, must be written so that the amount calculated under it varies based on the maximum amount determined under 88.20 (6) (Maximum Amount) for the office for which the Candidate is nominated.
- (4) The Clerk's calculation is final and shall be made in accordance with the prescribed formula in *Ontario Regulation 101/97*.

#### **4.16 Candidate Name Pronunciation**

All certified Candidates are to provide the proper pronunciation of their name for the telephone voting system at the request of the Clerk.

### **5.0 Voters' List**

#### **5.1 Voter Qualifications [s. 17(2)]**

A person is entitled to be an elector at an election held in a local municipality if on Voting Day they are:

- a. resident in the local municipality or is the Owner or Tenant of land in the local municipality, or the spouse of such Owner or Tenant
- b. a Canadian citizen
- c. at least 18 years old, and
- d. not prohibited from voting under subsection 17(3) of the Act or otherwise by law.

## **5.2 Persons Prohibited from Voting [s. 17(3)]**

The following are prohibited from voting:

- a. a person who is serving a sentence of imprisonment in a penal or correctional institution
- b. a Corporation
- c. a person acting as executor or trustee or in any other representative capacity
- d. a person who was convicted of a corrupt practice described in subsection 90 (3) if Voting Day in the current election is less than five years after Voting Day in the election in respect of which they were convicted.

## **5.3 Preliminary List of Electors (PLE) [s. 19]**

- (1) The Preliminary List of Electors (PLE) supplied by the Municipal Property Assessment Corporation (MPAC) shall be delivered to the Clerk by September 1, 2022 and shall contain the name and address of each person who is entitled to be an elector and any additional information the Clerk needs to determine for which offices each elector is entitled to vote, such as school support.
- (2) The Clerk shall, to the best of their ability and legislative authority, ensure that an elector's name appears on the PLE for a local municipality only once.
- (3) Where a voter qualifies at more than one location in the municipality, the voter may vote only once for each office and the qualifying address to determine eligibility for voting shall be the elector's place of residence.
- (4) It is possible for an elector's name to appear on the Voters' List of more than one municipality. That elector may be eligible to vote in both municipalities.
- (5) School Board votes must only be cast in the municipality where the elector resides.

## **5.4 Correction of Errors [s. 22]**

- (1) The Clerk shall correct any obvious errors in the PLE prior to September 1, 2022 and notify the Municipal Property Assessment Corporation (MPAC) with the Final Voters' List.
- (2) The Clerk may use any information that is in the municipality's custody or control when correcting the PLE for obvious errors [s. 22 (2)(3)].

## **5.5 Certification of Voters' List [s. 23]**

- (1) The corrected PLE becomes the Voters' List once it is reproduced and identified with the cover sheet on or before September 1, 2022.
- (2) Notice of the Voters' List shall be provided on the municipal website and at the municipal office.

## **5.6 Requests for Copies of the Voters' List [s. 23 (3)(4)(5)]**

Upon written request, but not until September 1, 2022 the Clerk shall give every Candidate a copy of Voters' List that contains the names of the electors who are entitled to vote for that office. Each Candidate will be required to sign a declaration on its proper use in accordance with policy.

## **5.7 Amendments to the Voters' List**

An elector may make an application to amend their information on the Voters' List using the prescribed form and providing Proof of Identification, between September 1, 2022 to October 24, 2022.

## **5.8 Removal of a Deceased Person's Name**

- (1) The Clerk may remove a person's name from the Voters' List up to 8:00 p.m. on October 24, 2022 if the Clerk is satisfied the person has died.
- (2) A person may make an application requesting that a deceased person's name be removed from the Voters' List by completing the application between the September 1, 2022 to October 24, 2022.

## **5.9 Interim List of Changes [s. 27(1)]**

The Clerk shall, during the period beginning on September 15 and ending on September 26, 2022 prepare an Interim List of Changes to the Voters' List to be given to each person who received a copy of the Voters' List and to each certified Candidate.

## **5.10 Certification of the Voters' List [s. 28(1)]**

The Clerk shall compile any changes to the Voters' List and certify the Voters' List for use in each Voting Place.

## **5.11 Final List of Changes [s. 27(2)]**

The Clerk shall prepare the Final List of Changes to the Voters' List by November 21, 2022 and provide a copy to MPAC through Datafix.

## **6.0 Candidate Campaigning [s. 88.3]**

### **6.1 Campaign Advertising**

- (1) Campaigning, including campaign advertising, are permitted no earlier than the filing of Nomination Paper by the Candidate.
- (2) Road signs must be compliant with policies, guidelines and rules adopted by the Township of Whitewater Region, County of Renfrew and Ministry of Transportation depending on the road authority.

### **6.2 Municipal Authority to Remove Advertisements [s. 88.7]**

If a municipality is satisfied that there has been a contravention of section 88.3 (Candidates' Election Campaign Advertisements), 88.4 (Third Party Advertisements) or 88.5 (mandatory information in Third Party Advertisements), the municipality may require a person who the municipality reasonably believes contravened the section or caused or permitted the contravention, or the Owner or Tenant of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising.

## **7.0 Third Party Advertisers**

### **7.1 Notice of Registration [s. 88.6 (2)(7)(13)]**

- (1) Notice for Registration shall be filed with the Clerk from the first business day of May in 2022 to Friday, October 21, 2022 during Regular Office Hours in person or by an agent with Proof of Identification.
- (2) No faxed or other electronically transmitted registration notices will be accepted as original signatures are required.
- (3) A Commissioner of Oaths of the Township of Whitewater Region shall administer the necessary oaths on the Nomination Form to the individual or to the representative of the Corporation or Trade Union. The date and time of filing are to be filled in by the Designated Election Official.
- (4) The Clerk shall calculate the estimated maximum expenses for registered third parties and provide a copy to the individual filing the registration. The Clerk's calculation is final.
- (5) The Clerk shall at least 30 days before the filing date provide a notice of the penalties to every Registered Third Party.
- (6) A list of registered third parties shall be posted on the municipal website and at the Municipal Office.
- (7) The Clerk will do a review of each notice received to determine qualification

and if the notice complies with the Act. Once satisfied, the Clerk will complete the certification section. If not satisfied the Clerk shall reject the notice. The Clerk's decision is final.

- (8) The Clerk shall from the number of eligible electors from the Voters' List calculate the final maximum amount of third party expenses that each Registered Third Party may incur and prepare a certificate. The certificate shall be given to each individual that filed a Notice of Registration for Third Party Advertising on or before September 26, 2022. The Clerk's calculation is final and shall be made in accordance with the prescribed formula.
- (9) The expenses of a Registered Third Party for the holding of parties and making other expressions of appreciation after the close of voting shall not exceed an amount calculated in accordance with the prescribed formula.

## **8.0 Scrutineers [s. 16 & 47]**

- (1) A Candidate may appoint Scrutineers to represent them at a Voting Place, as well as at the Help Centre, during the review of the Zero Report and receipt of voting results, including during a recount.
- (2) The forms to appoint Scrutineers must be signed by the Candidate in person at the Municipal Office. The Candidate shall provide the signed form to their Scrutineer.
- (3) Only one certified Candidate or their appointed Scrutineer may be in attendance at a Voting Place, as well as at the Help Centre, during the "0" count audit and receipt of voting results, including during a recount.
- (4) In the case of a recount ordered under Section 58, the elector may appoint one Scrutineer for each recount station established by the Clerk.
- (5) A person appointed as a Scrutineer, before being admitted to a Voting Place or Help Centre must take an Oral Oath of Secrecy, show proof of their applicable appointment, and Proof of Identification.

## **9.0 Election Personnel**

- (1) The Clerk shall appoint a Deputy Returning Officer for each Voting Place and may appoint any other Election Officials for the election and for any recount that the Clerk considers are required.
- (2) The Clerk may delegate to a Deputy Returning Officer or other Election Official any of the Clerk's power or duties in relation to the election as they consider necessary. The Clerk may continue to exercise the delegated powers and duties despite the delegation. The delegation shall be in writing.
- (3) There shall be a substitute qualified person appointed to attend to the

election details in the event the Clerk is unavailable.

- (4) The Clerk is required to complete and sign the Oath of Returning Officer.
- (5) All other Election Officials are required to complete and sign the Appointment and Oath for Election Officials.

## **10.0 Proxy Voting [s. 44]**

The municipality has chosen to use an alternative voting method and proxy voting will not be utilized.

## **11.0 Notice of Results [s. 55 (3)]**

- (1) A Candidate or Scrutineer will be able to participate in the closing of the voting system on Voting Day in the Council Chambers at 44 Main Street in Cobden, but electronic devices will not be permitted and Proof of Identification may be required by the Returning Officer. Candidates and Scrutineers may arrive no earlier than 7:45 p.m. and results will be under embargo and no one will be permitted to leave the room until such time unofficial results are released.
- (2) Anyone who is creating a disturbance will be removed as directed by the Clerk.
- (3) After the results report has been compiled, those present including the Clerk, Election Officials, Candidates or their Scrutineers shall sign the report.
- (2) The unofficial results of each Candidate shall be made available by the Clerk as soon as practical after 8:15 p.m. on Voting Day at the Council Chambers located at 44 Main Street in Cobden, and the Clerk shall post the same Unofficial Results on the municipality's website.
- (3) The Clerk shall send each school board's election results to the respective Clerk handling the school board election as soon as possible after the close of all voting.
- (4) As soon as possible after Voting Day, the Clerk shall declare the Official Results and post the results at the Municipal Office and on the municipal website.
- (5) As soon as possible after Voting Day, the Clerk shall make the following information available at no charge for viewing by the public on a website or in another electronic format:
  - The number of votes for each Candidate
  - The number of declined and rejected Ballots



- (6) With Tabulators, Ballots are not manually reviewed and therefore, not “rejected”. However, the Tabulators can track the number of races left blank (“Under-Voted”) and the number of races where more than one voting oval was selected (“Over-Voted”). Thus, in spirit of the related provision of the Act, the Clerk will report to the public the number of Under-Votes and the Over-Votes for each race.
- (7) Declined Ballots are processed by the Designated Election Official who issues the Ballot and are therefore not inserted through a Tabulator and into a Ballot Box. As such, the Clerk will report to the public the number of Declined Ballots through a manual process that is separate from the results produced by the Automated Vote Tabulation System.

## **12.0 Recount**

### **12.1 Manner in Which a Recount is Conducted**

- (1) A recount shall be conducted in the same manner as the original count by vote counting equipment, unless ordered otherwise by a judge.
- (2) A recount is automatic when there is a tie vote where both or all Candidates cannot be declared elected and in conformity with the Council approved policy.
- (3) A recount is required within 30 days after the declaration of the results, by resolution of Council or school board, or by order of the Minister or Superior Court Justice.
- (4) The recount shall be held within 15 days after the Clerk’s declaration of the results of the election or resolution or order to hold a recount is passed or made.
- (5) The Clerk shall conduct all recounts for elections for which they are responsible except recounts conducted by the Superior Court of Justice upon appeal.
- (6) All votes will be included in the recount due to the use of alternative voting and vote counting equipment.
- (7) The following persons are entitled to be present at a recount:
  - the Clerk and any other Election Official appointed to assist with the recount
  - every certified Candidate for the office involved
  - the applicant, if any, who applied for the recount
  - legal counsel for any of the above

- one Scrutineer for each recount station established by the Clerk for every certified Candidate for the office involved and the applicant, who applied for the recount
  - any other person may be present with the Clerk's permission.
- (8) The Clerk shall give notice of the recount date, time and place to the following:
- all certified Candidates for the office which is the subject of the recount
  - where a resolution is involved, the Council or local/school board which passed the resolution
  - the Minister when an order has been made
  - the applicant in the case of a court order
  - in the case of a recount concerning an office in respect of which electors of another municipality are entitled to vote, the Clerk who was responsible for the conduct of the vote in the other municipality
  - notice of recount will be given by registered mail or personal service.

#### **12.4 Process at Recount**

- (1) At the time set for the recount to commence, the Clerk should outline the procedures as follows:
- The Ballot Boxes and Vote Tabulator will be set up;
  - The rules prescribed by the Minister or established by the Clerk are to be followed and should be explained to everyone present for the recount;
  - Once the recount process has commenced, it must continue to completion;
  - Upon completion of the recount, the Clerk shall announce the results of the recount;
  - Persons authorized to be in attendance at the recount may also be at the announcement of the results of the recount.
- (2) In a case of a tied vote following the recount the Clerk shall determine the result by conducting a lot. The Clerk shall write the name of each Candidate on equal-sized pieces of paper. They are then put in a vessel of the Clerk's choosing. The Clerk shall announce, prior to the draw, that "the Candidate to be elected shall be the Candidate whose name is written on the first piece of paper I draw." The paper is pulled from the vessel and the Candidate

elected is announced.

### **12.5 Declaration by Clerk [s. 62 (4)]**

- (1) Unless an application has been made for a judicial recount, the Clerk, on the 16<sup>th</sup> day after the recount is completed shall declare the successful Candidate(s) elected.
- (2) The results of the recount shall be posted at a minimum in the Municipal Office and on the municipal website by noon the day following the recount.
- (3) The Clerk will notify in writing everyone previously notified of the recount of the results.

## **13.0 Financial Statements [s 88.25 (1) and (9)]**

### **13.1 Filing**

- (1) All Candidates and Third-Party Advertisers shall file with the Clerk, the Financial Statement – Auditor’s Report on or before 2:00 p.m. on March 31, 2023, reflecting election campaign finances as of December 31 in the year of the election.
- (2) At least 30 days before the filing date, but no later than November 30, 2022, the Clerk shall give every Candidate and Third-Party Advertiser notice of:
  - all the filing requirements of this section
  - the Candidate’s entitlement to receive a refund of the nomination filing fee if they meet the requirements
  - the penalties as set out in the Act.
- (3) A Notice of Default shall be given to the relevant Council or local board in the event that a Candidate has not submitted the required Financial Statement on or before 2:00 pm on March 31, 2023.
- (4) The Clerk shall make available to the public the name of the Candidate or Third-Party Advertiser and a description of the nature of the default.
- (5) As soon as possible after April 30 in the year following a regular election, the Clerk shall make available to the public on the municipal website a report setting out all Candidates and Third-Party Advertisers and indicating compliance with reporting requirements.
- (6) A Candidate is entitled to receive a refund of the nomination filing fee if they file the Financial Statement on or before 2:00 p.m. as of March 31, 2023.

### **13.2 Review of Contributions**

- (1) The Clerk shall review the contributions reported on the financial statements to determine whether any contributor appears to have exceeded any of the contribution limits.
- (2) As soon as possible after April 29, 2023, the Clerk shall prepare a report identifying each contributor who appears to have contravened any of the contribution limits.
- (3) The Clerk shall prepare a separate report in respect of each contributor who appears to have contravened any of the contribution limits and forward each report to the Compliance Audit Committee.
- (4) Within 30 days after receiving a report regarding contributions, the Compliance Audit Committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

### **13.3 Compliance Audit Application**

- (1) An elector, who is entitled to vote in an election and believes on reasonable grounds that a Candidate or a Third-Party Advertiser has contravened a provision of the Act relating to election campaign finances, may apply for a compliance audit of the Candidate's or Registered Third Party's election campaign finances, even if the Candidate or Registered Third Party has not filed a financial statement.
- (2) Within 10 days after receiving the request, the Clerk shall forward the application to the Compliance Audit Committee.

### **14.0 Public Records [s. 88 (5), (10), (11)]**

- (1) Despite anything in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, documents and materials filed with or prepared by the Clerk or any other Election Official under the *Municipal Elections Act, 1996* are public records, and until their destruction, may be inspected by any person at the Municipal Office at a time when the office is open.
- (2) No person shall use information obtained from public records described above, except for election purposes.
- (3) The Voters' List shall not be posted in a public place and can be used only for election purposes.
- (4) Details about another person, other than the person an Election Official is speaking with, should not be provided, including whether or not the individual is on the Voters' List.

- (5) All information containing personal voter information shall be protected by the Candidate and shall not be used for any purpose other than the 2022 Municipal Election. All Voter information obtained by the Candidate during the 2022 Municipal Election shall be destroyed by the Candidate after the election, either by returning same to the Clerk for destruction with other election material or by deleting it completely from the Candidate's computer hardware. All records shared with campaign staff or volunteers shall also be protected and destroyed.
- (6) After 120 days from declaring the results of the election, the Clerk shall destroy the Ballots in the presence of two witnesses. The Clerk may destroy any other documents and materials related to the election with exceptions outlined in the corporate Records Retention Schedule or required by law.

## **15.0 Accessibility**

- (1) The Clerk shall have regard to the needs of electors and Candidates with disabilities.
- (2) The Clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and Candidates with disabilities and shall make the plan available to the public before Voting Day in a regular election.
- (3) In establishing the locations of a Voting Place or Help Centre, the Clerk shall ensure that they are accessible to electors with disabilities.
- (4) To allow an elector with a disability to vote, an Election Official shall attend to the elector anywhere within the area designated for voting.
- (5) The Election Official may permit an elector who needs assistance in voting to have such assistance as the Election Official considers necessary.
- (6) A voter who requires such assistance to vote may ask the Election Official for assistance. The Election Official shall require the voter making the request to take the Oral Oath to vote with assistance.
- (7) In lieu of the Election Official providing assistance, the voter may request that a Friend accompany the voter and assist the voter. Any Friend assisting shall be required to take the Oral Oath of Friend of Elector. No person shall be allowed to act as a Friend of more than one voter without authorization of an Election Official.
- (8) Candidates and Scrutineers may not act in the capacity of a Friend of elector.
- (9) Where a voter requires an interpreter, such person provided by the voter, shall take the Oral Oath of Interpreter and shall translate the oaths as well as any lawful questions put to the voter.

- (10) Within 90 days after Voting Day in a regular election but no later than Monday, January 23, 2022, the Clerk shall submit a report about the identification, removal and prevention of barriers that effect electors and Candidates with disabilities and shall make the report available to the public.

## **16.0 Emergencies [s. 53]**

- (1) The Clerk may declare an emergency if they are of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with this *Act*.
- (2) On declaring an emergency, the Clerk shall make such arrangements as they consider advisable for the conduct of the election. The arrangements made by the Clerk, if they are consistent with the principles of this *Act*, prevail over anything in this Act and the regulations made under it.
- (3) The emergency continues until the Clerk declares that it has ended. If made in good faith, the Clerk's declaration of emergency and arrangements shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.
- (4) The Clerk shall to the best of their ability provide notice of such emergency. All information pertaining to the emergency shall be communicated via local radio and posted to the municipal website if possible.

## **17.0 Telephone and Internet Voting**

### **17.1 Authority (s.42)**

- (1) On February 2, 2022, By-law 22-02-1469 was passed authorizing Advanced and Alternative Voting and Vote Counting Equipment for the 2022 school board and municipal election.
- (2) The Voting Period provides for telephone and internet voting in advance of Voting Day commencing Friday, October 14, 2022, at 10:00 am and concluding on Monday, October 24, 2022 at 8:00 pm.
- (3) The service provider for internet/telephone voting is Voatz Canada Ltd.

### **17.2 System Integrity**

- (1) The integrity of the voting process shall be the responsibility of the Clerk and shall be preserved by:
- ensuring that every eligible elector on the Voters' List, as amended, is sent a sealed Voter Information Letter containing the voter's unique PIN, by first class mail;
  - ensuring that no one except the Clerk, or designate, can access PINs

maintained by Dominion Voting Systems Inc. that match each voter's name and address; and

- providing an opportunity for eligible electors to be added to the Voters' List or to make amendments to the list, up to and including Voting Day, October 24, 2022, at 8:00 pm.
- (2) A logic and accuracy testing session of the voting system will occur prior to the election period on a date to be determined by the Clerk.
  - (3) Candidates will be invited to attend the opening of the Voting Period beginning at 9:45 a.m. on October 14, 2022. Prior to the activation of the system by the Clerk, those in attendance shall confirm that all Candidates' names are listed and that no votes have been cast. The system will not be activated until confirmation that all the counts associated with each of the Candidates' names indicate a "0" total.
  - (4) Candidates are invited to the closure of the voting system at the completion of voting on October 24, 2022 beginning at 7:45 p.m. Should a Candidate not be available they may appoint a Scrutineer.

### **17.3 Preparation of Voter Information Letters**

- (1) The Voter Information Letters will be prepared using the Voters' List as amended.
- (2) Voter Information Letters shall be delivered to Canada Post and distributed by first class mail to all eligible voters on or about September 26, 2022 to enable them to use the Telephone / Internet Voting service.
- (3) The Voter Information Letter will contain:
  - the elector's voter credentials and the telephone number to call to cast their vote and the designated internet address to access to cast their vote using the Internet
  - instructions on how to vote
  - dates and hours of voting
  - the location and telephone number of the Help Centre
  - Advanced Voting locations, dates and times
  - voter eligibility criteria
  - candidate names by office
  - information on illegal and corrupt practices under the Act.

- (4) A person cannot give their Voter Information Letter to another eligible elector for the purpose of voting. Acceptance of another person's Voter Information Letter including the actual voting thereof will be considered an illegal and corrupt practice and therefore subject to the penalty provisions.

#### **17.4 Voting**

- (1) Telephone and internet voting will commence on October 14, 2022 at 10:00 a.m. and end on October 24, 2022 at 8:00 pm.
- (2) Eligible electors will receive voter credentials distributed via Canada Post, or through alternate means as deemed necessary by the Clerk, in a sealed and personalized Voter Information Letter. Prior to voting, electors will be required to confirm that they are an eligible voter, complete a security prompt and key in their voter credentials contained in the Voter Information Letter. Every eligible elector shall be limited to one Ballot for all races.
- (3) If voting by internet, eligible electors will be able to access a designated internet address and cast their vote. If voting by telephone, electors will be able to call a designated toll-free number to cast their vote by using a cellular or land line, touch-tone telephone but not a rotary dial telephone.
- (4) Once a voter has made a selection for each race or question, the voting system shall indicate the voter's choice and shall allow the voter to either confirm their selection and cast their vote or return to the race to change their selection. If the selection of a particular race is not confirmed the vote is not cast.
- (5) Once the voter credentials are used to complete voting and a Ballot is cast, it cannot be used again and further access shall not be granted to the voting system or to a paper Ballot at an Advanced Voting Location.
- (6) The names of electors who have voted during the Voting Period will be provided to the Clerk electronically through the Dominion Voting System. It is not possible to determine how an elector has voted.
- (7) Candidates who request a strike-off list will receive an electronic list daily showing the names of those electors who have cast a Ballot.

#### **17.5 Voter Credential Issues**

- (1) If an eligible elector is unsuccessful in accessing the voting system or has not received their Voter Information Letter, they should call or visit the Help Centre. Election Officials will investigate the problem and may issue replacement voter credentials in certain circumstances.
- (2) New voter credentials shall not be given out over the telephone. The voter must attend the Help Centre with Proof of Identification as prescribed and



complete the appropriate form.

- (3) Eligible voters who attend at the Help Centre and are not on the Voters' List will be able to be added and providing Proof of Identification as prescribed. Their names will be added to the Voters' List and they will be assigned and delivered a Voter Information Letter containing voter credentials.
- (4) If a person on the Voters' List has lost or not received their Voter Information Letter and the PIN has not been used, they should attend the Help Centre. Upon providing Proof of Identification to an Election Official, an oath shall be taken by the elector and a new Voter Information Letter containing a new PIN shall be issued. The issuance of a new PIN will immediately disable any PIN previously assigned to that voter.
- (5) Where a person on the Voters' List has attempted to vote and their PIN has already been used, they should attend the Help Centre. Upon providing Proof of Identification as prescribed to an Election Official, an application for re-issue of a Voter Information Letter shall be completed by the elector and a new letter containing a new PIN shall be issued. The issuance of a new PIN will automatically and immediately disable any previously assigned voter credentials.
- (6) Where an eligible voter has received an incorrect Voter PIN in terms of school support and has not voted in that race, the voter can contact the Help Centre and have the proper category applied to the existing PIN. The elector will be required to provide appropriate confirmation of eligibility and to complete an application to amend the Voters' List.
- (7) Should an eligible voter receive more than one Voter Information Letter, the eligible voter may only vote once and must return the other Voter Information Letter to the Help Centre and complete a form to remove the duplicate name. All electors who vote more than once or who improperly use the Voter Information Letter shall be reported for further investigation as to possible corrupt practices.
- (8) In exceptional circumstances, at the sole discretion of the Returning Officer, voter credentials may be issued through an alternative method. Eligible electors must satisfy the Returning Officer of their identity and their inability to attend a Help Centre to be issued with replacement voter credentials. Such situations shall be documented by the Returning Officer with measures to ensure security and privacy of the elector, and integrity of the voting process.
- (9) Voter Information Letters returned to a Help Centre shall have the voter credentials immediately disabled in the system so that voter credentials cannot be used in the voting process. The opened Voter Information Letters will then be maintained in a secure fashion.
- (10) Election Officials shall ensure a complete audit trail is maintained of all Voter

## Information Letters:

- sent to eligible voters
- returned from the Post Office
- returned by an elector or other individual either opened or unopened but unused for voting purposes
- set to a status that prevented them from being used to vote
- re-issued to an eligible elector
- assigned by an Election Official to eligible electors that have completed the necessary form.

### **17.6 Telephone and Internet Voting System Closure**

- (1) At 8:00 p.m. on October 24, 2022, the Clerk will close and deactivate the voting system. If eligible voters are in the Help Centre at 8:00 p.m., the Clerk shall permit those voters to cast their Ballot.
- (2) The results report, showing the results and total number of votes cast, shall be generated by the Clerk once all eligible voters who were in the Help Centre or logged into the system at 8:00 p.m. have completed their vote, and no voter has an active voting session.

## **18.0 Vote-Counting Equipment**

### **18.1 Ballots**

- (1) There shall appear on the Ballot to the right of each Candidate's name a designated voting space for the marking of the Ballot.
- (2) The instructions on the Ballot shall direct the elector to vote by using the Ballot Marking Pen to fill the designated voting space to the right of the Candidate's name.

### **18.2 Programming of the Compact Flash Cards**

- (1) Each Compact Flash Card shall be programmed so that a Zero Report and a Results Tape can be produced at the commencement of Advanced Voting.
- (2) Each Compact Flash Card shall be programmed so that a Ballot that is damaged or defective or has been marked in such a way that it cannot be properly processed by the Vote Tabulator is returned to the Designated Election Official.
- (3) Each Compact Flash Card shall be programmed to produce a Results Tape only at the end of all voting.

- (4) The Vote Tabulator shall be programmed with two identical Compact Flash Cards, one memory card to be used as a backup in case of failure.

### **18.3 Logic and Accuracy Testing – Vote Tabulators**

- (1) Before Voting Day, the Vote Tabulators will be reviewed, assessed and tested. This is to ensure confidentiality, availability and integrity of the automated vote tabulation system and to ensure that the system will accurately count and tabulate all votes cast for all Candidates.
- (2) When testing the Vote Tabulators, adequate safeguards shall be taken to ensure that the Automated Vote Tabulation System or any part of it that is used for the processing and tabulating of votes is isolated from all other applications or programs and that no remote devices are capable of accessing the system.
- (3) If any errors are detected during the system test, the cause of the errors shall be ascertained and corrected and the test repeated until an errorless test is achieved.
- (4) The Clerk shall at the completion of the test retain the results contained on the Compact Flash Card and Results Tapes used for test purposes.

### **18.4 First Advanced Voting Place – Prior to Opening – Vote Tabulators**

- (1) Approximately 15 minutes before the opening of the first Advanced Vote, the Designated Election Official shall in the presence of all Candidates and/or Scrutineers present at the time, print and sign two copies of the Zero Report from the Vote Tabulator.
- (2) If the totals are zero for all Candidates, the Designated Election Official shall ensure that the first signed Zero Report is affixed in a clearly visible location on the same table as the Vote Tabulator and the second signed Zero Report remains affixed to the roll of printer paper attached to the Vote Tabulator.

### **18.5 Opening and Closing at Each Voting Place**

- (1) After the close of voting at each Advance Vote, the Designated Election Official shall:
  - a) power down the Vote Tabulator;
  - b) note and initial the number of votes cast from the LCD screen on the appropriate form;
  - c) sign the Ballot Box seal (Candidates or Scrutineers present may also sign) and use it to seal the Ballot Box so that Ballots cannot be deposited in or withdrawn from the Ballot Box without breaking the seal;

- d) deliver the sealed box(es) and Vote Tabulator to the designated location.
- (2) At the next Advanced Vote, the Designated Election Official shall:
- a) power up the Vote Tabulator;
  - b) check, note and initial the number of votes cast from the LCD screen on the appropriate form, confirming it is the same as the previous location at shut down.

### **18.6 Voting Place – During Voting Hours – Vote Tabulators**

- (1) To protect the secrecy of the vote, Candidates and Scrutineers will not be able to:
- a) attend to or assist electors;
  - b) examine the Ballots after the Voting Place has opened for voting;
  - c) object to Ballots; or
  - d) object to the counting of votes as the Ballots are being inserted into the Vote Tabulator by the Designated Election Official.
- (2) A Candidate or Scrutineer may sign the seals used to seal the Ballot Box(es).
- (3) The Designated Election Official shall, upon the presence of an elector, check the elector's prescribed form of identification and/or Voter Information Letter to confirm their name and qualifying address is on the Voters' List.
- (4) The Designated Election Official shall strike the elector's name off the Voters' List and issue a Ballot contained within a Voting Privacy Sleeve to the elector.
- (5) Where the Ballot is marked manually, upon receiving the Ballot and Voting Privacy Sleeve, the elector shall:
- a) proceed to a Voting Screen;
  - b) vote by marking the Ballot with the Ballot Marking Pen within the designated voting space to the right of the name of each Candidate that they wish to cast a vote for;
  - c) insert the Ballot into the Voting Privacy Sleeve;
  - d) leave the Voting Screen; and
  - e) deliver the Voting Privacy Sleeve containing the Ballot to the Designated Election Official who is located by the Vote Tabulator.

- (6) The Designated Election Official shall, in presence of the elector and without removing the Ballot from the Voting Privacy Sleeve, insert the Ballot into the feed area of the Vote Tabulator until the Ballot is drawn into the Vote Tabulator and cast into the Ballot Box.
- (7) If a Ballot is returned by the Vote Tabulator, the Designated Election Official shall read the message displayed on the Vote Tabulator's LCD Touch Screen to verify the reason for the returned Ballot and discreetly advise the elector of the reason why the Vote Tabulator returned the Ballot.
- (8) If a Ballot is returned by the Vote Tabulator (Ballot that cannot be processed) the Designated Election Official shall re-insert the Ballot into the feed area of the Vote Tabulator.
- (9) After three attempts to insert the Ballot into the Vote Tabulator or if the Ballot evidently has to be replaced (torn or damaged Ballot), the appropriate Designated Election Official shall:
  - a) discreetly advise the elector that the Ballot cannot be processed by the Vote Tabulator;
  - b) write "cancelled" on the back of the Ballot, draw a line through all voting ovals and place it in the envelope labelled "Cancelled Ballots";
  - c) issue another Ballot and Voting Privacy Sleeve to the elector; and
  - d) instruct the elector to go to the closest available Voting Screen and then to return to the Vote Tabulator after marking the Ballot.

### **18.7 Voting Place – During Voting Hours – Tabulator Failure**

If the Vote Tabulator fails to operate properly, the Designated Election Official shall bring the matter to the attention of the Returning Officer to determine if the backup Vote Tabulator can be deployed and/or if Ballots can be manually deposited in the auxiliary compartment for counting later.

### **18.8 Voting Place – Vote Tabulators – Paper Jam**

- (1) Paper Jam Detected (front slot) Results Have Been Saved

In the event of a paper jam, the Designated Election Official shall, in the presence of the elector:

- a) explain to the elector that there has been a paper jam and that the results have been saved;
- b) if the Ballot is not accessible from the front of the Vote Tabulator, lift the Vote Tabulator and gently pull the Ballot out of the back;

- c) place the Ballot in the Ballot Box through the slot, as the Ballot has already been counted;
- d) select the "Cleared" button;
- e) read the message "Ballot Successfully Cast" that will be quickly displayed on the screen of the Vote Tabulator; and
- f) wait for the "System Ready" screen to appear indicating that the Vote Tabulator is ready to accept Ballots again.

(2) Paper Jam Detected (front slot) Results Have Not Been Saved

In the event of a paper jam, the Designated Election Official shall in the presence of the elector:

- a) explain to the elector that there has been a paper jam and that the results have not been saved;
- b) if the Ballot is accessible from the front of the Vote Tabulator, gently pull it out;
- c) select the "Cleared" button and wait for the "System Ready" screen to appear indicating that the Vote Tabulator is ready to accept Ballots again;
- d) follow the procedures as set out.

(3) Paper Jam Detected (exit slot) Results Have Been Saved

In the event of a paper jam, the Designated Election Official shall in the presence of the elector:

- a) explain to the elector that there has been a paper jam and that the results have not been saved;
- b) if the Ballot is not accessible from the front of the Vote Tabulator, lift the Vote Tabulator and gently pull the Ballot out of the back;
- c) place the Ballot in the Ballot Box through the slot, as the Ballot has already been counted;
- d) select the "Cleared" button;
- e) read the message "Ballot Successfully Cast" that will be quickly displayed on the screen of the Vote Tabulator; and
- f) wait for the "System Ready" screen to appear indicating that the Vote Tabulator is ready to accept Ballots again.

## **18.9 Institutions and Retirement Homes**

This procedure applies to a Voting Place established within a retirement home or an institution; however, the Voting Place may be mobile within the facility to accommodate electors.

## **18.10 Tabulation of Results**

No earlier than 8:00 p.m. on Voting Day, the Returning Officer shall in the Council Chambers:

- a) power up the Vote Tabulator and confirm the number of votes cast from the LCD screen matches the total from the last Advanced Voting Location;
- b) officially close the poll by placing the Security Key onto the Security Key receptacle and entering the correct password;
- c) in the administrative menu, press the "Close Polls" button;
- d) tear off the Results Tape that is attached to the Zero Report and sign the bottom portion; any Candidates or Scrutineers present may also sign;
- e) immediately place the signed original Zero Report and Results Tape in the Elections Results Envelope;
- f) print a duplicate copy of the Results Tape and sign the bottom portion; any Candidates or Scrutineers present may also sign;
- g) proceed to entering the results in a document with the results report from the telephone and internet voting system.

## **List of Notices**

- A – Nomination Period
- B – Penalties and Corrupt Practices
- C – Additional Nominations (if required)
- D – Declaration of Election
- E – Letter for Financial Institutions
- F – Third Party Information Sheet
- G – Statutory Provisions Regulating Voting Procedures
- H – Posting of Voters' List
- I – Identification Requirements
- J – Notice of Recount (if required)
- K – Notice to County – Results and Number of Electors
- L – Filing Requirements – Third Party Advertisers
- M – Filing Requirements – Candidates
- N – Offence and Corrupt Practice
- O – Default

## **List of Forms**

- Form 1: Nomination Paper
- Form 2: Endorsement of Nomination
- Form 3: Appointment of Voter Proxy (not applicable)
- Form 4: Financial Statement – Candidate
- Form 5: Financial Statement – Subsequent Expenses
- Form 6: Extension of Campaign Period
- Form 7: Third Party Registration
- Form 8: Financial Statement – Third Party
- Form 9: Declaration of Identity
- Form 10: Withdrawal of Nomination
- Form 11: Rejection of Nomination



- Form 12: Estimated Maximum Campaign Expenses – Candidate
- Form 13: Estimated Maximum Campaign Expenses – Third Party
- Form 14: Unofficial List of Candidates
- Form 15: Official List of Certified Candidates
- Form 16: Acclamation
- Form 17: Certificate of Maximum Campaign Expenses – Candidate
- Form 18: Certificate of Maximum Campaign Expenses – Third Party
- Form 19: Oath of Returning Officer
- Form 20: Delegation of Powers and Duties of the Clerk/Returning Officer
- Form 21: Appointment and Oath of Election Official
- Form 22: Voters' List Cover Sheet
- Form 23: Certificate of Voters' List
- Form 24: Declaration of Proper Use of Voters' List
- Form 25: Application to Remove Another Person from the Voters' List
- Form 26: Application to Amend the Voters' List
- Form 27: Interim List of Changes to the Voters' List
- Form 28: Final List of Changes to the Voters' List
- Form 29: Appointment of Scrutineer
- Form 30: Oral Oath of Secrecy
- Form 31: Oaths of Assistance, Friend of Elector and Interpreter
- Form 32: Activation of Voting System – Zero Votes Report
- Form 33: Activation of Tabulator – Zero Votes Report
- Form 34: Receipt of Ballots by Deputy Returning Officer
- Form 35: Ballot Account by Deputy Returning Officer
- Form 36: List of Persons Who Voted at an Advanced Vote
- Form 37: Oath of Qualification at Advanced Vote
- Form 38: Re-Issue of Voter Information Letter
- Form 39: Re-Issue of Voter Information Letter – Imposter
- Form 40: Summary of Election Results
- Form 41: Declaration of Official Election Results
- Form 42: Summary of Recount Results
- Form 43: Declaration of Official Recount Results

*Other forms and notices may be required and developed by the Returning Officer.*