

**THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA**

**BY-LAW NUMBER -2010**

A by-law to amend By-law #44-2009 Being a By-law to adopt the manual governing the policies and procedures for the Corporation of the Town of South Bruce Peninsula.

**WHEREAS** Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a Municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS** Section 11 of the Municipal Act S.O. 2001, c. 25, as amended, authorizes municipalities to pass by-laws regarding the Accountability and Transparency of the municipality and its operations;

**AND WHEREAS** Section 270 (1) 5 of the Municipal Act, 2001, c.25, as amended, authorizes the municipality to adopt and maintain policies with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.

**AND WHEREAS** the Council of the Corporation of the Town of South Bruce Peninsula recently adopted a Municipal Policy Manual and desire to amend said by-law by adding to it a policy re "Procedures for the Municipal Election Including Vote by Mail and the Use of Vote Tabulators".

**NOW THEREFORE** the Council of the Corporation of the Town of South Bruce Peninsula Enacts as follows:

1. That Policy \_\_\_\_re Procedures for the Municipal Election Including Vote by Mail and the Use of Vote Tabulators as attached hereto be added to the policy manual.
2. That this by-law shall come into force and take effect upon final reading.

**READ a FIRST and SECOND time this \_\_\_\_<sup>th</sup> day of August, 2010.**

\_\_\_\_\_ **MAYOR**

\_\_\_\_\_ **CLERK**

**READ a THIRD time and FINALLY PASSED this <sup>th</sup> day of August, 2010.**

\_\_\_\_\_ **MAYOR**

\_\_\_\_\_ **CLERK**

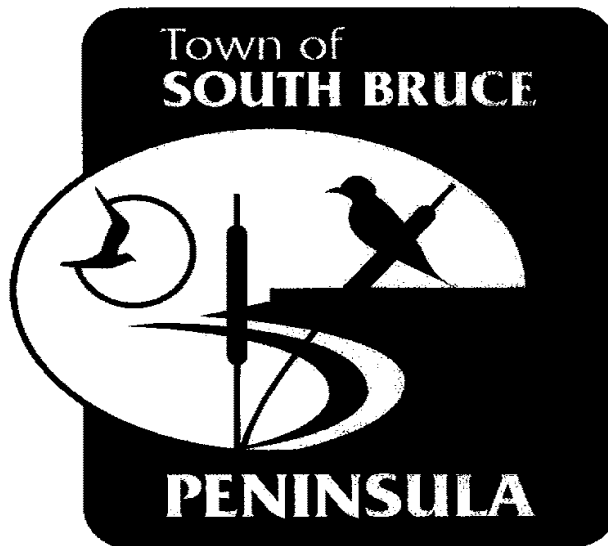
<b>Section:</b> Council	<b>Policy Number:</b>
<b>Sub-section:</b> Election	<b>Effective Date:</b>
<b>Subject:</b> Procedures for the Municipal Election Including Vote by Mail and the Use of Vote Tabulators	<b>Revision Date:</b>

Page 1 of 27

## **Procedures for the Municipal Election Including Vote by Mail and the Use of Vote Tabulators**

See attached procedures.

# **ELECTION PROCEDURES FOR THE**



**MUNICIPAL ELECTION  
OCTOBER 25, 2010**

**INCLUDING VOTE BY MAIL  
AND  
THE USE OF VOTE TABULATORS**

Revised August 4, 2010

**TOWN OF SOUTH BRUCE PENINSULA  
ELECTION OCTOBER 25, 2010**

**PROCEDURES FOR ALTERNATIVE VOTING METHOD - MAIL-IN BALLOT  
AND USE OF VOTE TABULATORS**

- 1. DEFINITIONS**
- 2. INTRODUCTION**
- 3. TIME LINE**
- 4. ALTERNATIVE VOTING PROCEDURE - MAIL-IN BALLOTS**
- 5. ELECTION STAFF**
- 6. SCRUTINEERS**
- 7. ACCESS TO VOTER'S LIST**
- 8. REVISION OF VOTER'S LIST**
- 9. VOTING**
- 10. ADVANCE POLL**
- 11. PROCESSING OF RETURNED BALLOT PACKAGES**
- 12. REJECTED BALLOTS**
- 13. VOTING DAY**
- 14. COUNTING THE VOTES**
- 15. POST ELECTION**
- 16. EMERGENCIES**

**17. APPENDICES**

1. Procedure - Returned Ballot Packages
2. Procedures for Scrutineers
3. Procedures - Designated Deputy Returning Officers & Election Assistants Counting Ballots
4. Replacement Ballot Packages
5. Accessibility

- Notes: 1. Reference to sections of the Municipal Elections Act 1996, are shown as S.2(1) to refer to Section 2, subsection 1, etc.
2. These procedures will be revised if necessary. At the lower left hand corner of the page, the date of the most recent revision is noted.

## 1. DEFINITIONS

**Assistant Returning Officer:** a person appointed by oath to act in the place of the Returning Officer in respect of administering oaths, revisions of the Voters List, ensuring security, updating the Voter's List, and other duties as may be delegated by the Returning Officer.

**Ballot Box:** a sealed box, secured at the Town of South Bruce Peninsula Municipal Office, in which ballot secrecy envelopes are kept in advance of counting on October 25, 2010

**Ballot Package:** an envelope mailed to the elector which includes the voting instruction sheet, composite ballot, ballot secrecy envelope, voter declaration form and return envelope with prepaid postage.

**Ballot Secrecy Envelope:** an envelope in which the elector places the ballot after marking.

**Deputy Returning Officer:** a person appointed by oath to carry out the counting of votes in a ballot box through the use of vote tabulators and other duties as may be delegated by the Returning Officer.

**Drop Box:** a sealed box in which Returned Ballot Packages are placed by persons delivering their ballots to the Town of South Bruce Peninsula Office.

**Election Assistant:** a person appointed by oath for the purposes as set out in the oath and such other duties as may be delegated by the Returning Officer.

**Locked Area of Secure Room:** shall mean an area within the Secure Room which returned ballot packages, ballot boxes containing ballot secrecy envelopes and ballots will be stored when processing is not taking place. This area in the secure room will be keyed in such a manner as to require two separate keys to be opened by two individuals. Three keys will be cut with the only individuals allowed possession of the keys for the 2010. Municipal Election will be Rhonda Cook, Cherry Wyonch and Angela Cathrae.

**Lock Down:** at a predetermined time on October 25, 2010 the Secure room will become sequestered and only those individuals in the room with proper authorization will be allowed. If a candidate or Scrutineer leaves the room they will not be allowed to return. Once the room is sequestered only election officials for the purpose of receiving ballots cast on election day will be allowed to receive ballots from election officials. No cell phones or other equipment will be allowed in the room except as necessary for the use of the Election Officials. Candidates and scrutineers shall not interfere with the ballot processing in any manner.

**Mail Drop off Location:** at Town of South Bruce Peninsula Municipal Office, containing one or more drop boxes where voters may deposit their Returned Ballot Packages.

**Polling Groupings:** for the purposes of this Alternative Vote, each Ward shall be one Poll Grouping:

**Ward 1:**

**Ward 2:**

**Ward 3:**

**Ward 4:**

All references to Polling Subdivisions or Polls, etc. in Alternative Voting documents are a reference to the sub-numbers forming the parts of the 4 individual Wards.

**Returned Ballot Packages:** Envelopes returned by the elector containing the voter declaration form and the ballot secrecy envelope containing the marked ballot.

**Returning Officer:** the Town of South Bruce Peninsula Clerk is the Returning Officer for the election with responsibility for ensuring that the election is conducted fairly in accordance with legislative requirements and established procedures. As Returning Officer, the Clerk is empowered by legislation to conduct the election and may provide for any matter that is not otherwise provided for in an Act or regulation and is, in the Clerk's opinion, necessary or desirable for conducting the election.

**Rejected Ballots Record:** a sheet where the number and reason for rejection of ballot will be recorded.

**Secure Room:** Town of South Bruce Peninsula Council Chambers with locked access. Only a minimum of two persons may enter at one time. The secure room will be utilized for the storage and processing of returned ballot packages prior to counting and for ballot scanning and counting on voting day. Only Election Officials, candidates and scrutineers will be allowed in the secure room upon proper oaths and signing in.

**Vote Counting Location:** Town of South Bruce Peninsula Council Chambers.

**Vote Tabulators:** shall mean an apparatus that optically scans a designated area on the ballots to read the votes and tabulate the results.

## 2. INTRODUCTION

The regular election in 2010, is being conducted in accordance with the Municipal Elections Act, 1996, as amended. The Town of South Bruce Peninsula has chosen to use an alternative voting method (S.42 (1)(b)) which involves the use of a Mail-in Ballot and the use of vote-counting equipment as per (S.42(1)(a) which involves the use of optical scanning vote tabulators.

Utilization of these methods is expected to improve voter access, increase participation and increase efficiency and accuracy of the count in the election. Procedures and forms have been developed for the use of vote counting equipment and the alternative voting procedure, as required by S.42 (3) (a) (i) and (ii), and will be revised as necessary.

All Councillor positions in the Town of South Bruce Peninsula will be elected on a ward basis with the Mayor elected at large.



### 3. VOTING PROCESS TIME LINES

#### NOTE: ALL DATES ARE FOR YEAR 2010

Qualification period of electors	S.17(2)- October 25
Nomination Period	January 4 – September 10
Nomination Day (nomination accepted from 9:00 am to 2:00 pm)	September 10
Clerk to Certify or Reject Nominations and List Of Candidates to be posted	September 13 at 4:00 p.m.
By-law #68-2006 authorizing alternative voting method (S.42(1)(b)) passed	July 31, 2006
By-law #67-2006 authorizing vote-counting Equipment (S.42(1)(a)) passed	July 31, 2006
Voter's List re-produced (S.23(2)(a)) (S.65(4)4)	September 1
Revision period (S.24 & 25) (S.65(4)5)	September 7- October 25
Ballot packages mailed to electors shown on Voter's List	September 27 ±
Ballot packages are mailed to electors added during revision period to October 4 inclusive	October 8±
Voting Day	October 25 to 8:00 p.m.
Counting of Votes by Vote Tabulators	October 25 @ 3:00 p.m. or sooner if numbers warrant
Official Declaration of Votes (S.55(4))	October 27 @ 12:00 noon

#### 4. **ALTERNATIVE VOTING PROCEDURE - MAIL-IN BALLOTS**

In this election, electors will receive their personal ballot package by mail. It will be sent on or about September 27 to their mailing address per Assessment Roll information.

The ballot package will contain a voting instruction sheet in English; a ballot; a ballot secrecy envelope; a "Voter Declaration Form"; and a postage prepaid return envelope in which to return the required materials to the Returning Officer. French language voters will receive bilingual forms only on a ballot for French language school trustees.

Electors who apply to revise the Voter's List before October 4 will receive their ballot package shortly thereafter.

Electors who do not receive their personal ballot package, or receive a ballot package with incorrect information, must revise the Voter's List in order to receive their own ballot package. Electors may check to see if they are on the Voter's List, or have another person do so by calling the Town of South Bruce Peninsula (519)-534-1400. After October 4, electors who revise their own information on the Voter's List will be issued their own personal ballot package at the time they revise the list. Any person who receives a ballot package addressed to another person should contact the number stated in this paragraph to receive further information as it is against the law to exercise a vote other than your **OWN** vote.

Return ballot packages will be received daily by mail and also by drop off at the Town of South Bruce Peninsula Municipal Office and secured. At the Town of South Bruce Peninsula Municipal Office, Election Personnel will remove the ballot secrecy envelope and the Voter Declaration Form from the returned ballot package, and update the Voter's Lists to show that the voter identified on the Voter Declaration Form has cast a ballot. The ballot secrecy envelope will then be secured in a ballot box. (see Section 11).

#### 5. **ELECTION STAFF**

The Returning Officer will delegate powers and duties to Assistant Returning Officers, Deputy Returning Officers and Election Assistants who will take an oath and be assigned such duties relating to the election as are deemed necessary by the Returning Officer.

#### 6. **SCRUTINEERS**

Candidates may appoint scrutineers (S.47(1)(c), 47(2), 47(5)), who must swear or solemnly affirm an oath.

Scrutineers will produce a copy of their appointment, upon request, to prove they are entitled to receive a record of electors who have voted, and observe the updating of the voter's list, processing of returned ballot packages, removal of ballots from ballot secrecy envelopes, vote counting, and recount procedures if necessary.

## 7. ACCESS TO VOTERS LIST

In addition to those named in S.23(3), (4) and (5) as being entitled to receive the Voter's List, any member of the public may inspect the Voter's List at the Municipal Office commencing on September 1. After its production on September 20<sup>th</sup>, the Interim Revision List shall also be available for public inspection in addition to being provided to those named in S.23(3), (4) and (5).

## 8. REVISION OF VOTER'S LIST

Voter's List revision will take place at the Town of South Bruce Peninsula Municipal Office, during normal office hours, excepting Monday, October 25. On October 25<sup>th</sup> applications may be made from 8:30 a.m. to 8:00 p.m.

A person may revise information about themselves in person or by mail or in person by his/her agent from Sept 7<sup>th</sup> to Oct 25, 2010 at the Municipal Office. Applications for deletions of another's name from the list may not be made after September 10, 2010 (Nomination Day). (S.25)

The Returning Officer and/or Assistant Returning Officer will respond to all written, telephone and in-person inquiries about entries on the list. However a ballot package will only be mailed or issued to the elector entitled to use it.

### Applications for Revisions of Elector's Own Information

Until September 23<sup>rd</sup>, electors may call the Town of South Bruce Peninsula Municipal Office at (519) 534-1400, to ask that the appropriate form be mailed to them for completion and return to the Municipal Office (by mail or delivered on the elector's behalf by an agent) or go to the Municipal Office to complete and file the form. If the application is endorsed, the elector will receive his/her ballot package by mail.

After September 23<sup>rd</sup>, the elector must go to the Town of South Bruce Peninsula Municipal Office to complete and file the form. If the application is endorsed, the elector will be issued his/her ballot package at that time.

### Applications for Replacement Ballot Packages

If an elector on the Voter's List does not receive his/her ballot package, or if the ballot package is lost or destroyed, a replacement ballot package may be issued. The elector must go to the Town of South Bruce Peninsula Municipal Office, fill out an application for replacement voting package, to obtain a replacement ballot package. The Returning Officer or a Designate, will confirm that the elector is qualified, administer the declaration, and issue the replacement ballot package. A log of all replacement ballot packages issued will be maintained.

## ALTERNATIVE VOTING METHOD

10

### 9. VOTING

The procedures for voting are set out in the voter instruction sheet which accompanies a ballot package. Voters requiring technical assistance in any manner, should attend at the Municipal Office or call (519) 534-1400, for assistance from election staff. The Municipal Office will be open for assistance during normal office hours during the election period and on October 25<sup>th</sup> from 8:30 a.m. to 8:00 p.m.

Voters will be advised to mail their returned ballot package by October 16<sup>th</sup> to ensure its arrival and inclusion in the count. While this is an advisory all ballots received by mail or otherwise prior to 8:00 p.m. on October 25<sup>th</sup> will be processed.

### 10. ADVANCE POLL

The Council of the Corporation of the Town of South Bruce Peninsula enacted By-law #68-2006 on July 31, 2006 authorizing Vote By Mail as an alternative voting method for the 2006 Municipal Election, and subsequent years pursuant to the Act, Sec. 42(1)(b). Sec. 42(5) provides that when a by-law authorizing the use of alternative voting method is in effect, Section 43 (advance votes) and 44 (voting proxies) apply only if the by-law so specifies. Therefore advance votes and proxy voting is not permitted in the 2010 municipal election.

### 11. PROCESSING OF RETURNED BALLOT PACKAGES

Candidates or their Scrutineers are able to be present throughout this procedure.

Mailed or dropped off ballot packages must reach the Town of South Bruce Peninsula municipal office by 8:00 p.m. October 25<sup>th</sup>, 2010 to be included in the count.

Each day prior to Voting Day election staff will receive all returned ballot packages received by mail or dropped off and secure them for processing in accordance with the following procedures.

At a pre-determined time each day, election staff at the Town office will enter the secure room to open the returned ballot packages, remove the ballot secrecy envelopes and using the information on the Voter Declaration Form, strike the voter's name from the Voter's List.

The sealed ballot secrecy envelopes will then be secured in a ballot box, in numbers to be determined.

August 4, 2010

## ALTERNATIVE VOTING METHOD

11

On Thursday, October 21<sup>st</sup>, 2010 and if required Friday, October 22, 2010 the ballot boxes containing the sealed ballot secrecy envelopes will be opened. The ballot secrecy envelopes will be slit open with the ballot to remain within the envelope and be secured in a ballot box. The slitting of the envelopes shall be done in such a manner as is practical to not reveal the vote on ballots. This procedure will be conducted as set out in S.43 insofar as possible, and Scrutineers are able to be present throughout. On Voting Day it will be repeated for those ballots delivered that day.

A print out of electors who voted each day will be produced on the day following and will be available for Candidates or their scrutineers to update their records if they so desire. The Voter Declaration Forms will be retained in a daily file by election personnel.

### 12. REJECTED BALLOTS

#### a) During the daily processing of returned ballot packages:

Any rejected ballots found during the daily processing of returned ballot packages, will be marked as such and kept separately in a sealed and secured box and not included in the count. Where a ballot secrecy envelope is rejected the reason for the rejection shall be sequentially recorded by numbering the ballot secrecy envelope and noting the number and reason for the rejection on a separate Rejected Ballots Record.

If a returned ballot package contains a different number of voter declarations than the number of ballot secrecy envelopes that are contained within the same returned ballot package, the ballot(s) will be rejected.

If a returned ballot package contains a voter declaration which has not been signed by the elector, the ballot will be rejected.

If a returned ballot package contains writing or marks that may identify the elector, or is torn or defaced or otherwise dealt with by the elector in a way that may identify him or her, the ballot will be rejected.

If the voter has already been struck off the list as having voted, the ballot will be rejected.

If the voter declaration is not for the Town of South Bruce Peninsula, the ballot will be rejected.

August 4, 2010

## ALTERNATIVE VOTING METHOD

12

### **During the process of removing the ballot from the secrecy envelope:**

If a ballot secrecy envelope contains more than one ballot, they will be retained with the envelope and dealt with as rejected in the counting.

If the ballot is not for the Town of South Bruce Peninsula it will be retained with the envelope and dealt with as rejected in the counting.

### **During the processing of the ballot through the vote tabulators.**

Ballots will be rejected if they violate S.54(2) of the Municipal Elections Act, 1996. Please note vote tabulators will be pre-programmed to accept these ballots, but count as a rejected ballot. See pages 18 and 19 Appendix 3 for specific regulations.

Any ballots received by mail or dropped off after 8:00 p.m. on October 25<sup>th</sup> **WILL NOT** be included in the election count.

### **13. VOTING DAY – OCTOBER 25, 2010**

Returned ballot packages must be received by 8:00 p.m. on October 25, or be dropped off at the Town of South Bruce Peninsula Office by 8:00 p.m. on October 25. Electors who are in the Municipal Office at 8:00 p.m. will be permitted to deposit their return envelopes in the secured drop box provided for this purpose. Return envelopes will not be accepted at the designated vote counting location. Processing up to the point of removal of ballot from the secrecy ballot envelope will take place in the Financial Services Department once the Secure Room becomes sequestered. They will then be turned over to Election Staff in the Secure Room to process further.

### **14. COUNTING THE VOTES**

At 3:00 p.m., (or earlier if numbers warrant), on October 25, the sealed ballot boxes containing ballot secrecy envelopes will be taken to the lock down location where Scrutineers are allowed to be present.

Election Officials will open the ballot boxes, one at a time, remove the ballots from their secrecy envelopes and organize ballots for processing through the optical scan tabulator system tested in accordance with the supplier's recommended practice. Ballots will remain in their specified number per group batch.

Any damage done to a ballot during the opening procedure will be noted thereon by the Election Official for the Information of the Deputy Returning Officer.

August 4, 2010

## ALTERNATIVE VOTING METHOD

13

If the original used ballot, in the opinion of the Returning Officer or designate, cannot properly be processed by the vote tabulator, a replacement ballot shall be prepared by the D.R.O. by marking a new ballot only with the marks contained in the designated voting spaces on the original used ballot, and the replacement shall be clearly labeled "replacement" and given a serial number indicating what batch and vote tabulator will process and this information shall also be recorded on the original used ballot.

The replacement ballot shall be substituted for the original used ballot and then tabulated by the vote tabulator.

The original used ballot being replaced shall be placed in a sealed envelope by the Returning Officer or Election Official and will be retained with the balance of ballots for that batch and secured in the respective ballot box at the end of the count.

The Returning Officer, or designate shall maintain a list of ballot boxes tabulated by each vote tabulator being used.

After the completion of ballot processing by the optical scan tabulators, the ballots will be counted by calculating a tabulator total. The Deputy Returning Officers will then follow the procedures for completing the Statement of Results in Handling the Election Materials as set out in S.55(1) and (2). The Statement of Results, once completed, will be signed by the D.R.O and, if desired, initialed by any Candidate or Scrutineer present for the count and be forwarded to the Returning Officer for tabulation.

The Returning Officer will then unofficially determine the results and declare the unofficial results as soon as possible.

As soon as possible results will be posted on the Town website and on the outside of the door to the Council Chambers Berford Street entrance. Results will be e-mailed to any press that, in writing, previously requested same.

**The results displayed shall be unofficial.**

### 15. POST ELECTION

The election staff will verify the unofficial results by checking the Deputy Returning Officer's statements for accuracy. They will then prepare the official results for declaration by the Clerk on October 27 at 12:00 noon.

August 4, 2010

## ALTERNATIVE VOTING METHOD

14

The election staff will produce ward results for distribution.

### 16. EMERGENCIES

It is impossible to predict if an emergency will occur, and if so, to what extent the conduct of the election will be affected. In the event of an emergency, the Clerk may, in accordance with section 53 of the Act, declare an emergency and make such arrangements as are considered necessary for the conduct of the election.

### 17. APPENDICES

#### APPENDIX #1 - PROCEDURE- RETURNED BALLOT PACKAGES

##### MAILED RETURNED BALLOT PACKAGES

Upon delivery from post office, Election Staff take charge of and place immediately in the Locked Area of the Secure Room.

##### DROPPED OFF RETURNED BALLOT PACKAGES

Returned ballot packages may be dropped off at the Municipal Office. They are to be placed immediately in a secure receptacle placed on or near the front counter located on both floors of the municipal office. The receptacle shall be clearly marked as a "Drop Box" and used for return ballot packages containing the ballot secrecy in their return envelopes containing the secrecy envelope and the Voter Declaration Form. Election Staff to monitor its use and request placement of contents in the locked area of the Secure room as often as necessary. The contents of the "Drop Boxes" will be processed with the mailed returned ballot packages. Election Staff shall ensure that the "Drop Boxes" are placed in the locked area of the Secure room at the end of every day.

The Night Depository shall be checked by Election Staff at the time of each office opening and closing. Any returned ballot packages contained in the night depository shall be placed in the applicable Drop Box to be secured with the contents of same until its transfer to the locked area of the Secure Room for storage or processing.

##### PROCEDURE AT PRE-DETERMINED TIME

At the pre-determined time, Election Staff, along with any Candidates or their Scrutineers who may be present to view the process will enter the Secure Room. Election Staff will take any necessary oaths from those present.

August 4, 2010



## ALTERNATIVE VOTING METHOD

15

The returned ballot packages will be removed from the locked area of the secure room and opened. Election Staff will remove the Voter Declaration Form and Ballot Secrecy Envelope from the Returned ballot package. Election Staff will identify the Voter from the Voter Declaration Form and also confirm that the Voter Declaration Form is properly signed.

Election Staff will then initial the Ballot Secrecy Envelope and Election Staff will stroke the Voter's name from the polling list. The Ballot Secrecy Envelopes, will be placed in predetermined batches. The Returned Ballot Secrecy Envelopes in their batches shall then be placed in Ballot Boxes. When a Ballot Box has #250 ballots, it shall be closed, locked and sealed until its counting on October 25<sup>th</sup>. Partially filled Ballot Boxes shall be closed, locked and sealed until the commencement of the next day's processing. Those present shall be given the opportunity to sign or initial any seals on any Ballot Box.

Voter Declaration forms that have been processed will be made available for Candidates or Scrutineers to review or update their Voters Lists if desired. A list of electors who voted each day will be prepared and available the day following for Candidates or Scrutineers.

### GENERAL

All Election Officials and Candidates or Scrutineers entering the Secure Room are required to sign a log noting date and time of entry and exit.

Entry shall only be by two persons at any time, i.e. there shall not, at any time be only one person in the Secure Room.

August 4, 2010

## ALTERNATIVE VOTING METHOD

16

### APPENDIX #2 - SCRUTINEERS

A candidate may appoint scrutineers to represent him or her during the processing and at the counting of the votes, including during a recount.

The appointment of a scrutineer shall be in writing if made by a candidate or applicant for a recount. The Clerk has prescribed the appointment form.

A scrutineer shall, on request, show proof of his or her appointment to the election official in charge of returned ballot packages and ballot secrecy envelope processing or of a place where votes are being counted.

Scrutineers may be present when returned ballot package, ballot secrecy envelopes or ballots are being processed and when the votes are being counted. The scrutineers that may be present include:

- one scrutineer appointed for each certified candidate for each processing or counting area. (In this situation the number of scrutineers who may be present is reduced by one while the candidate who appointed them is present.)
- There are no age or relation to the candidate restrictions relative to the appointment of scrutineers.
- The appointment of a scrutineer must be in writing on the Clerk's prescribed form (copy attached).

### RIGHTS OF SCRUTINEERS (includes Candidates)

- to be present during all processing and counting of returned ballot packages, ballot secrecy envelopes and ballots
- to place a seal on a ballot box at the conclusion of processing and on each day of processing.
- to object to a returned ballot package, ballot secrecy envelope or a ballot or the counting of votes in a ballot.
- to sign the statement of the results prepared by the DRO.
- to place a seal on the ballot box after the counting of the votes when the DRO seals the box.

August 4, 2010

## ALTERNATIVE VOTING METHOD

17

- A scrutineer may object to a ballot, or to the counting of some or all votes in a ballot, on the grounds that the ballot or votes do not comply with the prescribed rules. The DRO alone shall decide all objections.
- Please note the following Section 52(3) of the Act re Ballot - marking  
Also note changes re mail-in-voting. Electors receive ballot in mail and not from a Deputy Returning Officer.

### **"52 (3) Ballot - marking**

On receiving the ballot from the Deputy Returning Officer,  
the elector shall,

- (a) make a cross or other mark on the ballot, within the space to the right of the name of each candidate for whom the elector wishes to vote (or, in the case of a by-law or question, to the right of the answer for which he or she wishes to vote)."

August 4, 2010

**ALTERNATIVE VOTING METHOD**

18



**APPOINTMENT OF SCRUTINEER BY CANDIDATE**  
*Municipal Elections Act, 1996*

NAME OF CANDIDATE	NAME OF SCRUTINEER
-------------------	--------------------

This appointment applies to	Check Here
Opening of Return Envelopes and scanning of names to cross off electors from the Voters' List at Town of South Bruce Peninsula Council Chambers	<input type="checkbox"/>
Slitting of Secrecy Ballot Envelopes on October. 21 <sup>st</sup> , 22 <sup>nd</sup> , and 25 <sup>th</sup> , 2010.	<input type="checkbox"/>
Opening of Secrecy Ballot Envelopes and Tabulating of Ballots at Counting Location on Voting Day	<input type="checkbox"/>

*TAKE NOTICE that I appoint the above individual to act as Scrutineer on my behalf at the locations indicated above.*

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Candidate

**CONDUCT OF SCRUTINEERS**

- 1) ANYONE who is creating a disturbance at the Ballot Package Processing Location or at the Counting Location will be removed by the Clerk or Election Official.
- 2) Before being admitted to the Ballot Package Processing Location or the Counting location, a person appointed as a scrutineer shall produce and show his/her Appointment (the "Appointment of Scrutineer by Candidate" Form ) to the Clerk or Election Official at the Municipal Administration Centre and take the oral Oath of Secrecy ("Oral Oath of Secrecy" Form) before being permitted to remain in the Ballot Package Processing Location or the Counting Location.

August 4, 2010

## ALTERNATIVE VOTING METHOD

19

- 3) A candidate or his/her scrutineer may place his or her own seal on the ballot box(es) in which secrecy ballot envelopes have been deposited. Should a candidate/srutineer choose to place a seal on the ballot box and is not present when the said box is required to be re-opened (in order to place more ballots in the box during the processing of the ballot packages or for counting on Voting Day) their seal will be removed by an Election Official.

The candidate or his/her scrutineer has the right to place their own seal on the ballot box immediately following the counting of the ballots. However, if a candidate or scrutineer should include their seal on a ballot box, please note that Section 55(5) of the *Municipal Elections Act, 1996*, states:

*"Despite subsection 88(6) (records), the Clerk may, if he or she considers it necessary in order to interpret the statement of results, examine any of the documents and materials in a ballot box in the presence of the relevant Deputy Returning Officer."*

- 4) The Clerk is responsible for the conduct of the election and no candidate or scrutineer has the right to interfere with the Clerk or Election Officials in the discharge of his or her duties.
- 5) Only one scrutineer per candidate is allowed at any given time in the Ballot Package Processing Location or in the Counting Location. The candidate and his or her scrutineer ARE NOT permitted to be present at the same time.

The Town purposes to use two vote tabulating machines. During the processing of ballots through the tabulator there shall be no more than one scrutineer per certified candidate for each piece of vote counting equipment, and at a re-count, the persons referred to in S. 61 (5) are not entitled to examine each ballot as the votes are being counted.

- 6) Scrutineers/candidates wishing to observe the count MUST be at the Counting Location prior to the commencement of counting and will not be allowed to enter the Counting Location once counting has commenced.

August 4, 2010

## ALTERNATIVE VOTING METHOD

20

### OATH OF SECRECY

To be administered to any of the persons authorized to be in attendance at the daily processing place or the vote counting place.

I, one of the undersigned, swear or solemnly affirm:

That I will maintain and aid in maintaining the secrecy of voting; and

That I will not attempt to:

- interfere with an elector when he/she is marking his/her ballot paper.
- obtain or communicate any information as to how an elector is about to vote or has voted, or
- directly or indirectly induce an elector to show his/her marked ballot paper to any person.

SWORN or affirmed before me at the Town of South Bruce Peninsula  
In the County of Bruce this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

Signature of person administering above oath	Signature of Persons taking the above oath	Capacity in which such persons is attending at the polling place. (If scrutineer -name candidate)

August 4, 2010

**ALTERNATIVE VOTING METHOD**

21

--	--	--

August 4, 2010

## ALTERNATIVE VOTING METHOD

22

### APPENDIX #3 - PROCEDURES-DESIGNATED DEPUTY RETURNING OFFICERS & ELECTION ASSISTANTS COUNTING BALLOTS

Proceedings at a Counting Location are under the direction of the Returning Officer, or persons designated by the Returning Officer and no other person shall touch any ballot, or interfere in the proceedings in any way. At NO time during the process should the Ballot Box or Ballots be left unattended by the duly appointed persons.

At 3:00 p.m., (or earlier if numbers warrant), on October 25, the sealed ballot boxes containing secrecy ballot envelopes will be removed from the locked area of the secure room and taken to the secure designated vote counting locations where Scrutineers are allowed to be present. The room will then become in a Lock Down state.

Deputy Returning Officers will be assigned a specific Vote Tabulator to process ballots.

The Returning Officer, or designate shall maintain a list of ballot boxes tabulated by each vote tabulator being used .

Election Officials will open the ballot boxes, one at a time, remove the ballots from their secrecy ballot envelopes and organize ballots for processing through the optical scan tabulator system tested in accordance with the supplier's recommended practice. Ballots will remain in their specified number per batch.

Any damage done to a ballot during the opening procedure will be noted thereon by the Election Assistant for the Information of the D.R.O. and placed at the top of the respective batch.

The Deputy Returning Officer shall receive the ballot box, from the Election Assistant. The ballot box will contain only the ballots in the prescribed number per batch containing the maximum number allowed.

The D.R.O. will then remove one batch at a time from the individual ballot box. Check the front to determine if the Election Assistants noted questionable or damaged ballots and if so, proceed as prescribed.

#### 54 (4) Deputy Returning Officer - Duty

The Deputy Returning Officer shall,

- (a) decide all objections;
- (b) establish a list in which the objections are summarized and

August 4, 2010



## ALTERNATIVE VOTING METHOD

23

individually numbered; and

- (c) write the number of each objection on the back of the relevant ballot and initial the number. 1996, c.32, Schedule, s. 54."

A corresponding list is provided to record the same number and summarize the objection.

If the original used ballot, in the opinion of the Returning Officer or designate, cannot properly be processed by the vote tabulator, a replacement ballot shall be prepared by marking a new ballot only with the marks contained in the designated voting spaces on the original used ballot, and the replacement shall be clearly labeled "replacement" and given a serial number indicating what batch and vote tabulator will process and this information shall also be recorded on the original used ballot.

The replacement ballot shall be substituted for the original used ballot and then tabulated by the vote tabulator.

The original used ballot being replaced shall be placed in a sealed envelope by the Returning Officer or Election Official and will be retained with the balance of ballots for that batch and secured in the respective ballot box at the end of the count.

Once all ballots in the batch have been verified as good ballots by the D.R.O. he/she will place the batch in the vote tabulator for scanning and counting.

Ballots will be rejected if they violate S.54(2) of the Municipal Elections Act, 1996. Please note vote tabulators will be pre-programmed to accept these ballots, but count as a rejected ballot.

The following excerpt of rules from the Municipal Election Act shall be applied in counting the ballot faces:

### "54 (2) Rejection of Ballots

The Deputy Returning Officer shall reject from the count all ballots and votes in a ballot that do not comply with the prescribed rules.

Prescribed rules - Appendix 'A', O.Reg. 101/97, s. 3 provides that for the purpose of subsection 54 (2) the Deputy Returning Officer shall reject from the count,

- (a) all votes in a ballot, if the ballot,

August 4, 2010

## ALTERNATIVE VOTING METHOD

24

- (i) was not supplied by the Deputy Returning Officer,  
or
- (ii) contains writing or marks that may identify the elector, or is torn, defaced or otherwise dealt with by the elector in a way that may identify him or her;
- (b) all votes in a ballot for an office, if votes have been cast for more candidates for the office than are to be elected;
- (c) all votes in a ballot on a by-law, if votes have been cast for both the affirmative and negative on the by-law
- (d) all votes in a ballot on a question, if votes have been cast for more than one answer on the question
- (e) any vote in a ballot, if the vote is not marked inside the space provided for marking the ballot.

When the tabulator has completed its scan and count, read tabulator counter and note on both travelers, check processor count = tabulator count, complete paper work, accept batch and send to pre-certified sector of database.

After the completion of ballot processing by the optical scan tabulators, the ballots will be counted by calculating a tabulator total. The Deputy Returning Officers will then follow the procedures for completing the Statement of Results in Handling the Election Materials as set out in S.55(1) and (2). After completion of the Statement of Results, place all materials in Ballot Box, except the original statements. You will then reseal and lock the Box. The Statement of Results, once completed, will be signed by the D.R.O and, if desired, initialed by any Candidate or Scrutineer present for the count and be forwarded to the Returning Officer for tabulation.

The Returning Officer will then determine the results and declare the unofficial results as soon as possible.

As soon as possible results will be posted on the Town website and on the outside of the door to the Council Chambers Berford Street entrance. Results will be e-mailed to any press that previously requested same.

**The results displayed shall be unofficial.**

August 4, 2010

## ALTERNATIVE VOTING METHOD

25

### APPENDIX #4 – REPLACEMENT BALLOT PACKAGES

"Replacement Ballot Packages" will be available at the Town of South Bruce Peninsula Municipal Office.

#### SECURITY PROCEDURES

All Blank "Replacement Ballot Packages" shall be secured. A separate box for this purpose shall be maintained.

A designated Election Official shall be responsible for monitoring the inventory. The Election Official shall ensure that packages issued plus remaining inventories equal totals received at all times.

A list of names shall be maintained showing the name and address of each person who has received a "Replacement Ballot Package".

Note the following procedure for issuing Replacement Ballot Packages.

Excerpt from # 8 REVISION OF VOTER'S LIST - Applications for Replacement Ballot Packages:

"Applications for Replacement Ballot Packages"

If an elector on the Voter's List does not receive his/her ballot package, or if the ballot package is lost or destroyed, a replacement ballot package may be issued. The elector must go to the Town of South Bruce Peninsula Municipal Office, fill out application for replacement ballot package, to obtain a replacement ballot package. The Returning Officer or his Designate, will confirm that the elector is qualified, administer the declaration, and issue the replacement ballot package. A log of all replacement ballots issued will be maintained.

August 4, 2010

## **ALTERNATIVE VOTING METHOD**

26

### **APPENDIX #5 – ACCESSIBILITY**

#### **GENERAL**

The Mail In Voting Method allows for all persons who are qualified voters to receive their individual Voting Package thus allowing access to everyone.

If a qualified voter has a question and/or requires further assistance they should contact the Clerk at 519-534-1400 for assistance.

The municipal office is accessible and Town Council has adopted an Accessibility Plan By-law 118-2008 as well as a policy with respect to Accessible Customer Service AD.7.1 adopted by By-law 3-2010 (See attached).

August 4, 2010