



**MUNICIPALITY OF
BRIGHTON**

**2014
MUNICIPAL ELECTION
PROCEDURES**

June 2014

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INTRODUCTION

Municipal Elections are conducted in accordance with the Municipal Elections Act, S.O. 1996, as amended, hereinafter referred to as the Act. This Act grants authority to the Municipal Clerk, as Returning Officer, to establish procedures and forms for voting within their municipality. The Act further grants the Clerk Authority to provide for any matter or procedure that is not otherwise provided for in the Act, and in the Clerk's opinion, is necessary or desirable for conducting the election.

The procedures and forms contained and referred to in this document detail the process to be followed, as directed by the Clerk, for the 2014 Municipal Election in the Municipality of Brighton. These procedures and forms have been developed as required by the Act, and will be revised as deemed necessary by the Clerk up to and including Voting Day. Amendments to the procedures will be e-mailed to each Candidate to the address shown on the filed Nomination Forms and a copy will be placed in the members mail folder at 35 Alice Street.

The contents of this document are intended only as a guide to certain provisions of relevant legislation and do not purport to recite all applicable statutory references. Candidates must satisfy themselves through their own determination that they have complied with the Act.

Questions with respect to these and any other procedures should be directed to:

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MUNICIPALITY OF BRIGHTON ELECTION PRINCIPLES

- a) The secrecy and confidentiality of the individual votes is paramount.
- b) The election must be fair and non-biased.
- c) The election must be accessible to all voters.
- d) The integrity of the process must be maintained throughout the election.
- e) There must be certainty that the results of the election reflect the votes cast.
- f) All voters and candidates must be treated fairly and consistently.

VOTING DAY

Voting Day for the 2014 Municipal Election is Monday, October 27, 2014.

DEFINITIONS

Act – means the Municipal Elections Act, 1996, S.O., 1996, c. 32.

Ballot – means the paper or printed form, through which an elector votes, containing the names of candidates for each office.

Ballot Box – means the apparatus used for the collection of ballot packages.

Ballot Package – means the yellow return envelope received from the electors containing the inner secrecy envelope, ballot and Voter Declaration Form.

Ballot Storage Container – means the apparatus used to store the ballots before and after the tabulation process.

Bar Code Scanner – means the apparatus used to scan the Voter Declaration Form to identify the name and poll and to denote electors voted.

Clerk – means the Clerk of the Municipality who is responsible for conducting the election. The Clerk is responsible for preparing for the election, preparing for and conducting recounts and maintaining peace and order in connection with the election. The Clerk may appoint Election Officials/Assistants for the purposes of this procedure.

Composite Ballot – means a printed form combining two or more of the above-defined Ballots (i.e. a Ballot combining votes for two or more offices).

DataFix – means the firm contracted to prepare the Voters' List and provide the printing of the Vote By Mail kits.

Dominion Voting Systems – means the firm contracted to supply the voting tabulators and the specific design of the ballots for counting purposes.

Election Officials/Assistants – means the persons designated by the Clerk to perform certain election functions.

Replacement Ballot Application – means the application that an elector must complete when a replacement ballot is issued.

Return Centre – means the place where the ballot packages are delivered and opened. The Return Centre is the Municipal Office, 35 Alice Street, Brighton.

Revising Centre – means the place where the preliminary voters' list is amended and revised. The Revising Centre is the Municipal Office, 35 Alice Street, Brighton.

Tabulation Centre – means the place where the votes cast are tabulated. The Tabulation Centre is the Municipal Office, 35 Alice Street, Brighton.

Municipal Website – means the Municipality of Brighton website known as www.brighton.ca.

Tracking Sheet – means the sheet of paper used to bundle the ballots in groups of 50. The covers will indicate the bundle numbers.

Unofficial Results Centre – means the place where the vote counting results are posted to inform the public of the Unofficial Results. The Unofficial Results Centre will be the King Edward Park Community Centre, 75 Elizabeth Street, Brighton.

Voter Kit – means all required material necessary to vote which is mailed to the elector by DataFix and the Municipality. Each kit will contain a ballot, instructions for completing the ballot, a Voter Declaration Form, a white inner ballot envelope and a yellow envelope (outer return envelope).

Vote Tabulator – means the area on the ballots to read the votes and apparatus used to tabulate the results.

Voter Declaration Form – means the form that is contained in the Vote By Mail kit that qualifies that the elector is a Canadian citizen, is at least 18 years old, is a resident of the Municipality of Brighton, or is a non-resident owner or tenant of land in the Municipality of Brighton or a spouse of an owner or tenant and is not prohibited from voting under any law. The form **MUST** be signed and included in the ballot package.

Voting Booth – means an area available for electors who wish to cast their vote at the Municipal Office.

Voting Place – The Municipal Administration Building located at 35 Alice Street.

White Secrecy Envelope – means the envelope containing the ballot.

APPLICATION OF PROCEDURES

These procedures apply to an election conducted by the Clerk, passed under the authority of the Municipal Elections Act, 1996, as amended and where the appropriate by-laws have been passed.

ELECTION OFFICIALS/ASSISTANTS

- a) The Clerk is responsible for running the municipal election, establishing and interpreting the procedures and rules, except as varied by a court.
- b) The Clerk may appoint, in writing, Election Officials/Assistants and other such personnel as required to assist in the administration, management, security and control of the Vote By Mail election system.
- c) Written appointment and delegation of duties of Election Officials/Assistants and other such personnel will include the authority to require any person to furnish proof of identity or qualifications pursuant to the Municipal Elections Act, 1996.

NOTICES

- a) Notice of Nomination was published and posted in the Brighton Independent on January 23, 2014. Nomination period runs from January 2, 2014 to September 12, 2014 at 2:00 p.m.
- b) Notice of Revision of Voters List is to be published and posted before September 2, 2014. The revision period runs from September 2, 2014 to the close of voting on October 27, 2014 at 8:00 p.m.
- c) Notice of Election is to be published and posted by September 22, 2014.
- d) The Clerk reserves the right to publish additional advertisements and notices as deemed appropriate.

FORMS

Prescribed Forms – The following list includes all prescribed forms used in the conduct of the 2014 Municipal Elections.

- Form 1 – Nomination Form
- Form 2 – Ballot
- Form 4 – Financial Statement – Auditor’s Report
- Form 5 – Financial Statement – Subsequent Expenses
- Form 6 – Notice of Extension of Campaign Period
- Form 7 – Notice of Registration

Other Election Forms – In addition to the aforementioned prescribed forms, the forms listed below may be used in the conduct of the 2014 Municipal Elections.

Application for Removal of Another's Name from the Voter's List

Application to Amend Voter's List

Appointment and Oath of an Election Official

Appointment of Scrutineer by Candidate

Candidate's Declaration – Proper Use of Voter's List

Certificate of Election Results

Certificate of Maximum Campaign Expenses

Certificate of the Voter's List

Declaration of a Qualified Candidate – Municipal

Declaration of Acclamation to Office

Declaration of Election Candidate

Declaration of Recount Results

Disclaimer of Recount Results

Disclaimer to Right to Office

Final Summary of Election Results

List of Certified Candidates

Notice of Death of Candidate

Notice of Default

Notice of Nomination for Office

Notice of Recount

Notice to Candidate of Filing Requirements

Oral Oath of Friend or Interpreter

Oral Oath of Secrecy

Recount Results

Statement of Election Results

Withdrawal of Nomination

Witness Statements as to Destruction of Ballots

VOTERS LIST

The Municipal Property Assessment Corporation (MPAC) is responsible for supplying the Municipality of Brighton with the Preliminary List of Electors (Voters' List) for the municipal election.

The Voters List will be maintained electronically and on paper, to reflect deletions, amendments and additions. Voter participation in the election will also be indicated, as the Return Voting Kits are received and bar codes on the Voter Declaration Forms are scanned in the Ballot Return Station.

On or before September 2, 2014, the Clerk shall have the Voter's List reproduced. The Voters' List, showing the names of all persons entitled to vote in the October 27, 2014 Municipal Election in the Municipality of Brighton will be available at the Municipal Office, during regular office hours from 8:30 am to 4:30 pm commencing Tuesday, September 2, 2014.

The Clerk shall provide, upon request, each candidate with a copy of the voters' list that contains the names of the electors who are entitled to vote for that office. Candidates will be required to sign a declaration, stating that the voters' list will be used for election purposes only.

REVISION OF VOTERS' LIST PROCEDURE

- a) The period for revisions to the voters' list is from September 2, 2014 until the close of voting on October 27, 2014 at 8:00 p.m. Upon application and with proper identification to the Clerk on the prescribed form, a person may have his/her name added, removed or information added or amended on the voters' list.
- b) Applications to remove another person's name from the voters' list must be made in writing to the Clerk on the prescribed form from the period of September 2, 2014 until September 12, 2014 at 2:00 p.m.
- c) Revisions to the voters' list will be conducted at the Municipality of Brighton Office during regular business hours, Monday to Friday, 8:30 a.m. to 4:30 p.m. except as varied in paragraph a) and b).
- d) Electors added to the voters' list up to September 12, 2014 will receive their Vote By Mail kit by mail from DataFix.
- e) Electors added to the voters' list after September 12, 2014 and before October 1, 2014 will receive their Vote By Mail kit by mail from the Municipality.
- f) Electors added to the voters' list after October 1, 2014 and up to October 27, 2014 to the close of voting must attend the Municipal Office to pick up their Vote By Mail kit. These electors will have the option of returning the ballot by 8:00 p.m. on October 27, 2014, or conducting their vote at a secure location in the Municipal Office and depositing the ballot package in the ballot box.

PROXY VOTING

As the Municipality of Brighton is conducting the 2014 Municipal Election using a mail-in ballot process, in accordance with the Municipal Elections Act there is no requirement for and no opportunity to vote by proxy.

FORM OF BALLOT

The ballot will be a composite ballot. The place for the elector to mark the ballot for each candidate shall be clear and unambiguous. The ballot shall be designed so that the ballot can be tabulated using an optical scanning vote tabulator.

ACCEPTABLE NAME ON BALLOT

- a) The name that shows on the candidate's identification is what will appear on the ballot with the exception of the first name being shortened (i.e. Michael can be Mike).
- b) Nicknames, middle names, titles, occupations and degrees shall not be placed on the ballot.
- c) Names shall be arranged in alphabetical order, based on their sur name, by office.

ACCESSIBLE ELECTION POLICIES/PROCEDURES

Pursuant to the Municipal Elections Act, as well as the Ontarians with Disabilities Act, 2001 and the Accessibility for Ontarians with Disabilities Act, 2005, the Clerk is authorized to establish procedures and provide appropriate measures to ensure that persons with disabilities have equal opportunity to participate fully in the 2014 Municipal Election.

Accordingly, the 2014 Municipal Election in the Municipality of Brighton will be conducted in such a manner as to ensure that:

- Candidates and electors with disabilities have full and equal access to all election information and services; and
- Person with disabilities have full access to the Ballot Return Station.

Voting Assistance:

Support Persons – Persons with disabilities may be accompanied by a support person inside the Ballot Return Station who may mark the ballot for said person, or read the ballot aloud. There are no prescribed oaths to be taken by support persons. In addition, the Clerk or designated Election Official can also assist a voter in completing their ballot. In this instance, prior to entering the designated area, the person with the disability and the Clerk or designated Election Official will determine the extent to which assistance is needed and the best way it may be provided. This may include marking the ballot as directed by the elector, if requested.

Service Animals- Electors requiring service animals will be permitted to have them present while at the Ballot Return Station. They will be permitted to accompany the elector in all areas where public access is allowed.

Assistive Devices – Magnifying sheets will be made available as well as pads of paper and pens to assist any elector, as requested.

Alternative Formats – Election information will be made available through a range of diverse formats as requested including:

- Information available in large print upon request
- Material in plain/clear language for electors, service provider, and others who may be providing assistance.
- Election information does not include the Voting Kit.

Persons with disabilities will be eligible to be considered for any job opportunities that may arise as a result of the municipal election.

SECURITY OF THE VOTE BY MAIL KITS PRIOR TO VOTING

a) DataFix will mail a Vote By Mail kit to each person identified on the Revised Voters' List as of September 12, 2014. The number of Vote By Mail kits mailed will be forwarded to the Clerk.

b) In addition to the Vote By Mail kits mailed by DataFix, the Clerk will receive blank Vote By Mail kits. Once received, the Vote By Mail kits will be counted and the numbers recorded.

c) The number of Vote By Mail kits distributed by the Clerk to persons qualifying to be voters will be recorded.

d) If the Clerk runs out of Vote By Mail kits printed by DataFix, the Clerk may photocopy as many kits as deemed necessary and sign his/her initials on the back of each kit. The number of kits copied will be recorded.

SECURITY OF THE BALLOTS AFTER THE VOTE

a) After the tabulation of the ballots, each bundle of 50 will be initialed by election officials as processed and placed back in the ballot storage containers. When the tabulation of all ballots is completed, the ballot storage containers will be returned to a locked room with access only to authorized Election Officials.

b) Ballot packages received after 8:00 p.m. on voting day will be date and time stamped, will not be tabulated and will be stored in a locked room with access only to authorized Election Officials. They will be retained for the statutory document retention period.

VOTE BY MAIL PROCEDURE

a) The Vote By Mail kits will be printed and mailed through the Municipal contract with DataFix. Ballots will be prepared in conjunction with Dominion Voting Systems in order to ensure that they meet the specifications required for counting using optical scan tabulators.

b) With the assistance of DataFix, the Municipality of Brighton will provide a Vote By Mail kit to each person who qualifies to be an elector up to the close of voting on October 27, 2014 at 8:00 p.m.

c) The Vote By Mail kit will consist of:

- one voting instruction sheet;
- one composite ballot;
- one white secrecy envelope (white);
- one bar coded Voter Declaration Form;
- one yellow return envelope with prepaid postage.

d) During the week of September 29, 2014, DataFix will mail a Vote By Mail kit to every elector who qualified to be on the voters' list, up to September 12, 2014, to the electors' address as shown on the voters' list.

e) The Clerk will mail a Vote By Mail kit to every person qualified to be on the voters' list who has been added between September 13, 2014 and October 3, 2014.

f) The Clerk will provide a Vote By Mail kit for pick up at the Municipal Office to every person qualified to be on the voters' list who has been added after October 3, 2014 and up to 8:00 pm on October 27, 2014.

g) Upon receipt of the Vote By Mail kit, each elector should follow the exact instructions provided in the voter kit. These instructions require the elector to:

1. Complete the ballot;
2. Insert the ballot into the white secrecy envelope;
3. Seal the white secrecy envelope
4. Sign the Voter Declaration Form;
5. Place the signed Voter Declaration Form and the white secrecy envelope into the yellow return envelope;
6. Seal the yellow return envelope ensuring the Municipal mailing address appears in the window of the yellow return envelope.
7. Mail the yellow return (prepaid) envelope by October 17, 2014. The yellow return (prepaid) envelope may be mailed or may be delivered to the Municipal Office and deposited in the ballot box during regular business hours. Ballot packages are prepaid in Canada only.

h) The final recommended day to deposit the ballot package in the mail for delivery to the Clerk is October 17, 2014. Following this date, voters are encouraged to deposit their ballot package at the Municipal Office.

i) A Voting Booth will be available for electors who wish to cast their vote at the Municipal Office.

APPLICATION FOR REPLACEMENT VOTER KIT

If an elector on the Voters' list does not received his/her Voters' Kit, or if the Voters' Kit is lost or destroyed, a replacement Voters' Kit may be issued. Up to and including Election Day October 27, 2014 at 8:00 p.m., the elector may go to the Revision Centre at the Municipality of Brighton municipal office to obtain a replacement Voters' Kit. The elector may be requested to present photo identification. The Clerk/Returning Officer will confirm that the elector is qualified and shall have the elector sign a written oath that they have not previously voted in this election (Form EL26). It shall be indicated on the Voters' List that a replacement Voters' Kit has been issued.

CANCELLED BALLOTS

An accidentally spoiled ballot may be returned to the Municipal Clerk, or designate, in exchange for a new one. The Clerk must immediately write "cancelled" on the ballot, and place it in the envelope provided for cancelled ballots. The clerk will confirm that the elector is qualified and shall have the elector sign a written oath that a replacement Voter's kit was issued. It shall be indicated on the Voter's List that a replacement Voters' Kit has been issued.

If an elector's ballot has been rejected because the declaration was not returned in the yellow return secrecy envelope with their ballot, a replacement ballot may be re-issued. The Clerk will confirm that the elector is qualified, that the elector has not been struck from the list as having voted and shall have the elector sign a written oath that a replacement Voter's kit was issued. It shall be indicated on the Voters' List that a replacement Voters' Kit has been issued.

If an elector has retained their declaration and as such has returned their ballot without the declaration, a replacement ballot may be re-issued. The Clerk will confirm that the elector has not been struck from the list as having voted and a replacement ballot will be issued. The elector's signature on the original declaration will serve as confirmation that the elector is an eligible voter. The Clerk will indicate on the Voter's List that a replacement ballot was issued.

If a ballot has been rejected because the declaration was not signed, the Clerk will make every effort to contact the elector to advise them that their declaration has not been signed, giving the elector the opportunity to sign their declaration. If the elector signs their declaration, the ballot will be included for counting and the elector will be struck from the list as having voted. If the elector does not sign their declaration, the elector will be struck from the list as having voted and their ballot will be marked "rejected", placed in the envelope provided for cancelled ballots.

Where factors permit, the elector will be asked to personally attend the municipal office to obtain a replacement kit. In cases where the elector is not able to attend the municipal office personally due to their physical location (e.g. lives outside of the municipality), due to timing factors, or due to other limiting circumstances, an oath form for a replacement ballot along with the replacement ballot kit, will be sent to the elector via regular mail. Should the elector request an alternative delivery method, the elector will be responsible for this cost. The elector must sign the oath for a replacement ballot and return it in the yellow envelope containing the completed ballot kit by Election Day in order for their ballot to be counted.

OPENING OF BALLOT PACKAGES AND SCANNING OF VOTER DECLARATION FORMS

- a) Each day two Election Officials/Assistants will collect all the ballot envelopes returned by mail or dropped off at the Municipal office. The Election Officials/Assistants will open the yellow return envelopes and remove the declaration forms and secrecy envelopes.
- b) The Voter Declaration Forms will then be scanned to update the voters' list by identifying the name of the electors who voted.
- c) The sealed white secrecy envelopes will then be bundled in groups of 50 with a Tracking Sheet attached (i.e. Bundle 1) then placed in a ballot storage container and stored in a locked room with access only to authorized Election Officials.
- d) The confirmed Voter Declaration Forms will then be placed in a container marked with the date it was received, confirmed and stored in a locked room with access only to authorized Election Officials.
- e) Any ballot package which contains more than one Voter Declaration Form or more than one white secrecy envelope will be treated in the following manner:
 - i) Packages containing an equal number of white secrecy envelopes to Voter Declaration Forms will be counted.

ii) Packages containing more white secrecy envelopes than Voter Declaration Forms or more Voter Declaration Forms than white secrecy envelopes will be rejected.

f) Any ballot package received which contains an unsigned Voter Declaration Form will be treated in the following manner:

i) The Clerk will attempt to contact the individual named to advise that the Voter Declaration Form must be signed.

ii) The individual will have until October 27, 2014 at 8:00 p.m. to sign the Voter Declaration Form.

iii) The Voter Declaration Form and inner ballot envelope will remain together until the Voter Declaration Form is signed.

iv) When the Voter Declaration Form is signed, the regular procedure will apply.

g) A master voters' list containing deletions, amendments and additions, the names of those persons who have voted to date and the names of those persons who have been issued replacement ballots will be maintained by the Clerk. This list may be viewed by candidates at an agreed upon time during regular business hours.

h) For the convenience of the candidates, a mail pick up folder will be available for each candidate in the election office located on the 2nd floor, 35 Alice Street. A list will be prepared of the names of those who have been deemed to have voted that day and will be available for pickup from your mail folder at your convenience by asking election staff to access it. The mail folder will contain any other correspondence and documents that will be prepared for candidates.

i) Appointed scrutineers may witness the opening of the ballot packages and the scanning of the Voter Declaration Forms.

REJECTION OF BALLOTS

a) In addition to rejecting cast ballots for violations of the Municipal Election Act, 1996, the following conditions will also cause a ballot to be considered rejected:

If there is no Voter Declaration Form in the ballot package, the ballot is rejected.

If the white secrecy envelope has not been sealed, the Clerk may seal the envelope without examining the ballot.

If the white secrecy envelope contains no vote, it will be counted as a declined to vote ballot.

b) Any part of any ballot rejected will not invalidate the remainder of the ballot. If there are identifying marks, the entire ballot will be rejected.

c) A Return Envelope (yellow) or Secrecy Envelope (white), which has been rejected will be marked as such and kept separately in a sealed and secured box.

PROGRAMMING OF THE VOTE TABULATORS

The vote tabulator shall be programmed so that a printed record can be produced of the number of votes cast for each candidate. It is essential that each form is accurately tracked, sorted and subjected to quality control to ensure that:

- each form is scanned once
- each scan can be successfully processed for intent
- no form is double scanned
- spoiled and/or damaged forms are appropriately managed

TESTING OF TABULATORS

a) The Clerk shall ensure that the vote tabulators are tested prior to voting day to ensure accuracy. At a date to be determined, and as soon as possible after receiving the ballots from the printer, the Clerk will conduct formal "Logic & Accuracy" testing in order to confirm that the system has been configured correctly, and that all components are functioning properly.

In general, Logic & Accuracy testing consists of the following basic steps:

i) For each tabulator, mark a set of election ballots in a pre-specified way, to create what is referred to as a "test deck" for that tabulator.

ii) Run the appropriate test deck through each of the tabulators.

iii) Close the tabulator and inspect any printouts that are available

iv) Upload the results files from each of the tabulators into the results tally & reporting software.

v) View the "watermarked" images for each of the ballots in order to confirm that the system has interpreted each individual ballot correctly.

vi) Use the tally & reporting software to generate totals reports, and compare the results from these reports with the known correct results for your test decks.

vii) If any discrepancies or errors are encountered during this process, the Clerk shall contact the Dominion Voting project manager immediately in order to correct the problem. Once the problem has been corrected, repeat the entire Logic & Accuracy testing procedure.

viii) If there are no errors or discrepancies, the Clerk shall sign and date the appropriate forms certifying that the Logic & Accuracy testing procedure has been successfully completed, send copies of these forms to the Dominion project manager, and retain the original forms, along with test decks, for the required retention period (90 days).

ix) "Re-zero" each tabulator and purge the results database in order to delete the Logic & Accuracy results.

x) All components of the system (i.e. computers and tabulators) will immediately be stored in a locked room with access only to authorized Election Officials in order to ensure that they cannot be tampered with.

b) When testing the tabulators, adequate safeguards shall be taken to ensure that the system, or any part of it that is used for processing and tabulating votes, is isolated from all other applications or programs and that no remote devices are capable of gaining access to the system. A dedicated system for the processing and tabulation of votes shall be used.

c) The Clerk will conduct training sessions for all Election Officials/Assistants as required, using the tabulators.

TABULATION PROCEDURE ON ELECTION DAY

a) The Municipality of Brighton Council Chambers is established as the Tabulation Centre. Only the Clerk, Election Officials/Assistants, candidates and appointed scrutineers will be permitted to enter the Tabulation Centre during the processing of the ballots.

b) Ballots for the following positions will be tabulated:

- Mayor
- Councillors
- School Board Trustee English Public
- School Board Trustee French Public
- School Board Trustee English Separate
- School Board Trustee French Separate

c) Appointed scrutineers will be provided with an area away from the tabulating stations. Cell phones or other equipment will not be permitted in the Tabulating Centre other than for Election Officials/Assistants use. Scrutineers will not interfere with the vote tabulation in any manner. Candidates and Scrutineers may enter the Tabulating Centre at the following set times: 12 noon and 4 p.m. The candidate must notify the Clerk in writing at least seven (7) days in advance of Election day as to who will be attending and at what "set" time on October 27, 2014 they will be in attendance.

d) Beginning at approximately 12 noon on October 27, 2014, the Tabulation Centre will be **sequestered**, and the sealed ballot storage containers with the previously bundled white secrecy envelopes will be transferred from a locked room to the Tabulation Centre. Ballots received at the Municipal Office after the initial transfer and prior to the close of voting on October 27, 2014 will be delivered to the Tabulation Centre as required during the day.

e) The Deputy Returning Officer(s), with the assistance of other Election Assistants, will open the Ballot Storage Containers, remove and open the Secrecy Envelopes, remove the ballots, tabulate the number of votes cast for each candidate and record rejected or unsatisfactory ballots as set out below:

There will be two (2) processing stations be set-up in the Tabulation Centre

i) Secrecy Envelope Opening Station

- One individual to open secrecy envelopes, which will be kept in the bundled stacks of 50 (or as otherwise determined)
- Three individuals to remove ballots from envelopes and maintain the stacked ballots in piles of 50.
 - ensure that the ballots are unfolded, reverse bend both folds and tap the stack to align the top and bottom edges
 - place all ballots with the same fold and printing alignment
- One individual to gather stacks of ballots and take to the scanning and tabulation station, to manage waste envelopes, to ensure that secrecy envelopes are empty and to provide any other assistance needed at this station.

ii) Scanning and Tabulation Stations

The scanning and tabulation of votes will be conducted in accordance with the tabulation manufacturer's specific procedures and tabulation software. Generally speaking, this station will operate as follows:

- One individual to accept the stacks of ballots. This individual will:
 - fluff the stacks to reduce multi-feeds.
 - straighten batch piles
- One individual to load and unload the tabulators and pack the tabulated ballots in the Ballot Storage Container and take to the Processed Ballot Storage Area.
- One individual to operate the personal computer in accordance with the tabulation software

Processed Ballot Storage Station

This station will be located in a separate area away from the other Processing Stations and will be used to store processed ballots in the Ballot Storage Containers that will be sealed and labeled.

Remarking Station

This is the only area where candidates/scrutineers may be present to view ballots. The roles and conduct of scrutineers and candidates are outlined in the Municipal Elections Act and within this manual. The proceedings in the Tabulation Centre are under the direction of the Clerk/Returning Officer, or persons designated by the Clerk/Returning Officer, and no other person shall touch any ballot, or interfere in the proceedings in any way.

If the original ballot cannot be properly processed by the vote tabulator it will be removed from the batch and taken to the Remarking Station. The tabulator will be re-set to delete the data from the scanned batch where the removed ballot was taken from and the batch will be re-scanned through the tabulator noting the new number of ballots in the batch. The ballot removed from the batch will be removed to the Remarking Station.

Remarking may occur under the following circumstances:

- ballot is damaged during the opening process, i.e. ripped. If this is the case, the ballot will be immediately taken to the Remark Station – do not attempt to pass through the tabulator.
- the vote tabulator is unable to process the image.

Ballot Remarking

Where there are marks in the Designated Voting Space(s) but the Vote Tabulator cannot process the ballot,

- mark the original ballot "cancelled - replaced";
- prepare a replacement ballot in full view of any candidates or scrutineers present by marking a new ballot with the same marks contained in the designated voting space(s) as on the cancelled ballot. The replacement ballot shall be clearly labeled "replacement" and given a serial number, which shall also be recorded on the cancelled - replaced ballot;
- substitute the replacement ballot for the cancelled - replace ballot and feed the replacement ballot into the Vote Tabulator.

Should the number of ballots requiring remarking become too large to manage with the above noted process. The Returning Officer shall implement a process whereby the original ballot is remarked by an election official, under the observation of a scrutineer.

Ballot – Rejected

The Returning Officer or DRO/election assistant in Charge, upon reviewing a Ballot that could not be processed by a tabulator, may determine that the Ballot is to be rejected in accordance with the Municipal Elections Act, Ontario Regulation 101/97 and in accordance with this manual.

The Returning Officer or DRO/election assistant shall reject from the count all ballots and votes in a ballot that do not comply with the following prescribed rules:

- all votes in a ballot, if the ballot,
 - was not supplied by the Returning Officer or Deputy Returning Officer,
 - or
 - contains writing or marks that may identify the elector, or is torn, defaced and otherwise dealt with by the elector in a way that may identify him or her;
- if votes have been cast for more candidates for any office than are to be elected;
- any vote in a ballot, if the vote is not marked inside the space provided for marking the ballot

The Returning Officer or DRO official shall:

- decide all objections
- prepare a list in which the objections are summarized and individually numbered. The summary should include the statement "Objected to by (the candidate's name or the candidate's scrutineer or the scrutineer's name in the case of a by-law or question)"
- write the number of each objection on the back of the relevant ballot and initial the number
- Count the ballots as required by Regulations and make decisions related to the ballots as noted above.

f) The Clerk, or other such person as designated by the Clerk, shall take any ballots that have been dropped off by 8:00 PM on Election Day, October 27, 2014 which were hand delivered to the Ballot Drop-off Centre, located at the Municipal Office, to the Counting Location. The ballots will be processed as set out in this policy.

g) The Clerk shall, at the completion of the count on Election Day, retain the programs, memory cards, test materials and ballots in the same manner as is provided for in the Act for the keeping of election records.

h) When the tabulation of all ballots is complete, the ballot storage containers will be returned to a locked room with access only to authorized Election Officials.

i) In the event a ballot is accidentally cut when the white secrecy envelope is opened, the election assistant will repair the ballot and make a note of the incident on the Tracking Sheets that the damage to the ballot was caused by the election assistant.

ANNOUNCEMENTS OF RESULTS

a) Unofficial results of the counting will be announced by the Clerk and posted at the Unofficial Results Centre (King Edward Park Community Centre) and posted on the Municipal website on October 27, 2014 as soon as the counting is completed.

b) The Official Results will be posted in the Municipal Office and on the Municipal website by 4:30 p.m. on October 28, 2014.

RECOUNT PROCEDURES

a) If a recount of votes is held, the votes shall be counted in the same manner as the votes were counted on voting day, unless otherwise ordered by a judge in accordance with Section 60(3) of the Act.

- b)
 - i) A vote tabulator shall be tested before the recount in the manner described in Testing of Tabulators.
 - ii) The Clerk shall attend the recount and bring the processed ballots and all documents that in the opinion of the Clerk are relevant to the recount.
 - iii) If a vote tabulator is used for a recount, the recount is limited to the ballots tabulated by a vote tabulator on voting day.
- c) Applications for a recount of disputed ballots are filed with the Ontario Supreme Court of Justice. The appeal is limited to the disputed ballots from the recount conducted by the Clerk.

The appeal can only be made by a certified candidate, the applicant for the original court order for the recount or, in the case of a by-law or question, the Municipality or the Minister, as the case may be.

The appeal must be made within 15 days after the Clerk declares the result of the recount.

If the recount indicates that two or more candidates who cannot both or all be declared elected to an office have received the same number of votes, the Clerk shall choose the successful candidate or candidates by lot (MEA 63 (10)).

Unless an application has been made for a judicial recount, the Clerk, on the 16th day after the recount is completed, declares the successful candidate or candidates elected or declares the result of the vote with respect to a by-law or question, as the case may be.

d) All returned ballots, accepted or rejected, shall be placed in the ballot storage containers and returned to a locked room with access only to authorized Election Officials.

SCRUTINEERS

a) Each candidate may appoint, in writing on the designated form, scrutineers to be present in the Council Chambers during the various stages of the election process. Two scrutineers per candidate (or one scrutineer plus the candidate) may be present at the Opening of Ballot Packages and Scanning of Voter Declaration Forms and at the Tabulation Centre. The appointed scrutineers and/or candidate may observe the process but they are not permitted to touch a ballot or speak to the Election Officials/Assistants. Enquiries are to be directed to the Clerk/Returning Officer only.

b) Any scrutineer not remaining in the designated area will not be allowed to remain in the Tabulation Centre. Scrutineers may not move around the Tabulation Centre but will be stationed so that they may observe the opening and tabulating of the ballots.

c) The Municipality is not responsible for the training of scrutineers.

Conduct of Scrutineers

It is no longer mandatory that scrutineers be 16 years of age or older to work at an election, however, ANYONE who is creating a disturbance at a Voting Place will be removed by the Returning Officer or Deputy Returning Officer.

Before being admitted to a Voting Place, a person appointed as a scrutineer shall produce and show his/her Appointment (Scrutineer Form EL 12 (A)) to the Returning Officer for the Voting Place and take the oral Oath of Secrecy (Form EL12 (B)) from the Returning Officer before being permitted to remain in the Voting Place. The Scrutineer will also be asked for photo identification.

The Returning Officer is responsible for the conduct of the Voting Place and no candidate or scrutineer has the right to interfere with the Returning Officer in the discharge of his or her duties.

During the fifteen minutes before the closing of the Tabulation Centre, the candidate or scrutineers who are entitled to be present in a Voting Place are entitled to visually inspect the room set up, papers, forms and documents, not so as to delay the timely counting of the votes. Scrutineers are not permitted to observe how an Elector votes. They are simply there to observe the tabulating process.

Two scrutineers per candidate (or one scrutineer plus the candidate) are allowed at any given time in the Tabulation Centre. If the candidate or scrutineer wishes to have a discussion with another candidate or scrutineer, they must leave the Tabulation Centre and carry on their discussion outside the Voting Place.

No campaign material or literature of any nature whatsoever shall be displayed within the Voting Place. The boundaries of the Voting Place are the boundaries of the property where the Voting Place is located and includes the parking lot. Candidates, supporters and scrutineers are NOT permitted to wear campaign material, handout campaign material, or park a vehicle displaying campaign material in the parking lot of the Voting Place. Anyone breaking these rules will be asked to remove the campaign material immediately.

Scrutineers are reminded that sitting at a table which is provided for Election Staff is NOT permitted.

The final decision as to whether a vote should be counted is the sole responsibility of the Returning Officer. Scrutineers/candidates shall not, in any way impede the progress of the counting of the votes.

The total of votes cast for each candidate as counted by the Returning Officer and staff is final. They are not required to do a second count.

EMERGENCIES

In the event of any condition of an emergency or any circumstances that will undermine the integrity of the election, the Clerk/Returning Officer has the discretion to declare an emergency and make any arrangements he/she deems necessary for the conduct of the election.

AMENDMENTS TO THIS DOCUMENT

- a) The Clerk has the right at any time to amend this document to facilitate the vote, vote count, tabulation of the votes and security.
- b) The Clerk's ruling on any interpretation of this document is final.