



Municipality of  
**Dutton Dunwich**

# **Municipal Election Voting Method Procedures**

**April 2022**

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# General Information

## **Application of Procedure**

This procedure applies to an election conducted by The Municipality of Dutton Dunwich that has passed By-law No. 2021-81 under Section 42 of the *Municipal Elections Act*, 1996 authorizing the use of Vote Tabulators at Voting Locations and advance polling date.

Where this procedure does not provide for any matter, an election to which this procedure applies shall be conducted in accordance with the principles of the *Municipal Elections Act*, 1996.

## **Service Provider**

The vendor of record for internet voting and optical scan vote tabulators is Dominion Voting Systems Inc.

## **System Integrity**

The integrity of the voting process shall be the responsibility of the CAO/Clerk and shall be preserved by:

- a) The CAO/Clerk's office along with the Municipal Information and Technology Services department will ensure the voting system has been tested prior to its use; and
- b) ensuring that every eligible elector on the Voters' List, as amended, is sent a Voter Notification Letter, by mail; and
- c) providing an opportunity for eligible electors to be added to the Voters' List or to make amendments to the list, up to and including Election Day.

## **Secrecy**

All Election Officials will take an oath and be appointed as per the "Appointment and Oath of an Election Official".

All complaints regarding any and/or all breaches of secrecy shall be documented by the Election Official as well as questions and answers of the complainant and, if deemed appropriate, the CAO/Clerk shall submit same to the Police for further investigation and prosecution.

## **Definitions**

In this procedure,

**Act** - means the *Municipal Elections Act*, 1996, S.O. 1996. c. 32, as amended.

**Advance Vote** - means the date or dates established by a by-law for the conduct of a vote held under the authority of Section 43 of the Act.

**Auxiliary Ballot Box** - means a designated ballot box into which voted ballots are temporarily deposited in the event that the vote counting unit ceases to function.

**Ballot** - means one or more blank ballot cards, printed on one or both sides, which

include the names of all Candidates for all offices to be contested in the election in relation to a specific Ward, together with other voting questions or by- laws.

**Ballot Box** - means a box which contains a compartment in which voted ballots are received after tabulation by the Vote Tabulators and a separate compartment for the insertion of ballots that have not been tabulated in the event of failure of the Vote Tabulator and which box serves as the platform for the Vote Tabulator.

**BMD** – Ballot Marker Device is used by an Elector during an accessible voting session to print and mark the selections of an Elector with accessible needs. The BMD ballot is indistinguishable from other hand marked ballots.

**Cancelled Ballot** - means a ballot that has been issued to an Elector, and

- (a) its marks cannot be properly read by a Vote Tabulator for which an Elector requests a subsequent ballot to properly record his/her vote; or,
- (b) has been inadvertently spoiled by the Elector for which an Elector requests a subsequent ballot from the Deputy Returning Officer to properly record his/her vote.

**Candidate** - means a person who has filed a nomination paper which has been certified by the CAO/Clerk under the authority of Section 35 of the Act.

**CAO/Clerk** - means the person appointed by the Council of the Municipality as “Municipal CAO/Clerk” and is also the Returning Officer for the municipal election.

**CAO/Clerk’s Office** – location of the CAO/Clerk as well as Election team – Municipality of Dutton Dunwich Office, 199 Currie Road, Dutton, Ontario. Open Monday to Friday 8:30am-4:30pm.

**Count** - means the process of totaling votes.

**Deputy Returning Officer (DRO)** - means the person appointed by the Returning Officer for each Voting Station to perform certain duties in the conduct of the election either at the advance vote or on Voting Day under the authority of Section 15 (1) of the Act.

**Dominion Voting** - the vendor who provides the technology for internet voting and tabulators.

**Election** - means the general election to fill the offices of Mayor and Ward Councillors for the Municipality, District School Trustees and any ballot questions held under the authority of the Act to be held in the Municipality of Dutton Dunwich.

**Election Headquarters** – means, the CAO/Clerk’s Office located at the Municipality of Dutton Dunwich Office, 199 Currie Road, Dutton, Ontario.

**Election Official** - means a person who has been delegated or assigned duties and/or responsibilities in the conduct of the municipal election. An Election Official may include; a Tabulator Deputy Returning Officer, a Mobile Deputy Returning

Officer, a Deputy Returning Officer, a Revision Clerk, a Site Manager, a Greeter, or other such person or persons appointed under the authority of Section 15 (1) of the Act.

**Election Results Report** - means the printed record that is generated by the memory card for each Tabulator and represents the number of votes cast for each Candidate and, if applicable, each question and the total number of over- votes and blank ballots processed throughout the day.

**Elector** - means a person who meets the qualifications as determined under the Act and appears on the Voters' List or is added thereto.

**Institution** – means a premises which, on nomination day, 20 or more beds are occupied by persons who are disabled, chronically ill or infirm. A retirement home in which, on nomination day, 50 or more beds are occupied, under the authority of Section 45 (7) of the Act.

**Over Voted Ballot** - means a ballot on which an Elector has voted for more Candidates for an office than are to be elected to that office.

**Preliminary List of Electors (PLE)** – list compiled by MPAC based off their records as well as the changes made through voterlookup.ca.

**Privacy Sleeve** - means a folder in which a ballot is placed so as to conceal the names of the Candidates and the marks made by the Elector upon the face of the ballot but does expose the initials of the Deputy Returning Officer.

**Poll Matrix** - is a box found in the top right corner of the ballot that is marked by the DRO to indicate which Voting Subdivision an Elector is from.

**Recount** - means an additional count of ballots following Voting Day held in accordance with Sections 56 to 64, inclusive, of the Act.

**Returned Ballot** - means a voted ballot which was inserted into the Vote Tabulator but which was not accepted, and which was returned with an explanation on the LCD screen of the ballot marking error which caused the ballot not to be accepted.

**Revision Clerk (RC)** - means an Election Official appointed by the CAO/Clerk to receive applications to amend the Voters' List at a Voting Station under the authority of Section 15 (1) of the Act.

**Tabulation** - has the same meaning as “**Count**”

**Tabulator Deputy Returning Officer (TDRO)** – means the person appointed by the CAO/Clerk to be responsible for the operation of the Vote Tabulator including receiving and processing ballots under the authority of Section 15 (1) of the Act.

**Under Votes** - means the practice of voting for less than the total number of election contests listed on the ballot, or of voting for less than the number of positions to be filled for a single office. (i.e. a person would under vote if a contest required the

selection of three out of a given number of Candidates, and the Elector chose only two Candidates). Based on experience, Dominion Voting strongly recommends the system be configured to alert on over votes, and blank ballots, but not to alert on under votes.

**Unused Ballot** - means a ballot that has not been issued to an Elector.

**Vote Tabulator** - means an apparatus that optically scans a designated area on the ballots to read the votes and tabulate the number of vote cast for each Candidate or ballot question. For the purposes of the Municipal Election "Vote Tabulator" means the ImageCast Precinct Tabulator manufactured for and distributed by Dominion Voting. The terms Vote Counting Unit, Vote Tabulator Units, Ballot Reader and Vote Recorder are synonymous with the term Vote Tabulator. The CAO/Clerk shall designate the number of Tabulators in each Voting Location.

**Vote Tabulator Memory Card** - means a battery sustained hardware device inserted into the vote counting unit, and programmed:

- (a) with the names of all Candidates for each office to be contested in the election or the particular Ward;
- (b) with the alternatives of "yes" and "no" for each question; and,
- (c) to record and retain information on the number of acceptable marks made for each Candidate.

**Voters' List** – means the list of Electors produced by MPAC (Municipal Property Assessment Corporation) for each municipality and school board in the province.

**Voting Day** - Voting day means the day on which the final vote is to be taken in an election, under the authority of Section 5 of the Act.

**Voting Location** - means the physical location (or "municipally" known address) established for the conduct of the voting.

**Voting Station** - means the area within the Voting Location designated by the Returning Officer where qualified Electors cast ballots.

**Voting Subdivision** - means an administrative division representing a contiguous geographic area situated within a Ward and in which Electors cast ballots at the same Voting Station.

**Ward** - means a contiguous geographic area represented by public officials ("Councillor").

**Zeros Tape** - means the printed record generated from a Vote Tabulator before the acceptance of any ballot at the opening of the Voting Location or at a counting centre before the tabulation of used ballots or at the beginning of any recount procedure, and which indicates as "zero" the number of votes for each Candidate and, if applicable the number of votes for and against each by-law or ballot question.

# **Optical Scan Vote Tabulator**



## **Programming of the Vote Tabulators**

1. The Vote Tabulator shall be programmed so that a printed record of the number of votes cast for each Candidate and with respect to each by-law and question can be produced.
2. The Vote Tabulator shall be programmed so that the following ballots are returned to the TDRO as described:
  - a) ballot without votes in any of the specified voting spaces as determined by a Vote Tabulator, with the message "Blank Voted Card."
  - b) ballot with more designated voting spaces marked for an office than the Elector is entitled to vote for, as determined by a Vote Tabulator, with the message "Over Voted."
  - c) ballot that is damaged or defective or has been marked in such a way that it cannot be properly processed by a Vote Tabulator with the message "Invalid Ballot"
3. A Ballot where the Elector has voted for less than the number of positions to be filled for a single office is under voted. Vote Tabulators will be programmed to automatically accept these ballots and not return them to the TDRO.

## **Testing of Vote Tabulators**

1. Prior to Voting Day, the CAO/Clerk or designate, shall test all Vote Tabulators, including back-up Tabulators, to ensure that they will accurately and consistently count the votes cast for all Candidates, by-laws and questions.
2. When testing the Vote Tabulator, 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 programmes and that no remote devices are capable of gaining access to the system.
3. The CAO/Clerk shall give notice of the date and time of the testing of the Vote Tabulators to the Candidates.

There are several "Testing" phases before the voting equipment is ready for use at the Advance Poll or for Voting Day.

### **Testing the Vote Tabulators (Diagnostic Testing)**

This test will ensure that the clock, LCD display, system memory, printer, serial port, auxiliary port, and ballot reader are all functioning properly.

### **Testing Memory Cards**

This will test every memory card to ensure it is not defective.

### **Testing Locations**

Every location which will be used for the election and which will have a Vote Tabulator, must be inspected. As well, at each location, the power source which will be used on

Voting Day is also tested.

## **Testing Ballots**

Once the ballots have been printed and received from the printing house, a test deck must be prepared and tested on each machine. A test deck must include every type of ballot used at a particular location and be comprised of samples of blank, over-voted, and properly completed ballots.

## **Defective Machine**

In the event that a Vote Tabulator must be replaced, or a memory card must be replaced, the unit/card must be retested before it is put into operation. If a memory card is replaced, the card must be tested and the test deck of ballots must be tested using the new card.

## **Test Documentation**

A complete record of all testing phases must be retained. In the event that the competency of the voting equipment is questioned, all printouts, reports, and test decks must be retained to verify your actions.

## **Candidates/Scrutineers**

1. Candidates may appoint scrutineers in writing to represent them at the Voting Location.
2. Scrutineers must show their written appointment to Election Officials upon request.
3. The Site Manager is responsible for the conduct of the Voting Location and no Candidate or scrutineer has any right to interfere with any Election Official in the discharge of his/her duties.
4. During the fifteen minutes before the opening of the Voting Location, the Scrutineers who are entitled to be present in a Voting Location during voting hours are entitled to inspect the ballots and all other papers, forms and documents relating to the vote but not so to delay the timely opening of the Voting Location.
5. Only one Scrutineer for each certified Candidate for each Ballot Box may be present at a location at any given time. The number of Scrutineers who may be present is reduced by one while the candidate who appointed them is present in the voting place as provided for in Section 47 of the Act.
6. Scrutineers may place their own seal on the ballot box immediately before opening of the Voting Location, so that ballots can be deposited in the box and cannot be withdrawn without breaking the seal. The seal may be identifiable to the Candidate/Scrutineer but must not contain the Candidate's name or imply campaign literature.
7. Scrutineers shall supply themselves with a clipboard for their use, as sitting at the tables provided for Election Officials is not permitted.
8. Scrutineers must not attempt to directly or indirectly influence how an Elector votes.

9. Scrutineers are not allowed to enter a voting compartment while occupied by an Elector, or to be in a position to see how the Elector marks their ballot.
10. Scrutineers shall not display any campaign material or literature in a Voting Location or on themselves.
11. If an Elector is objected to by a Scrutineer, the Election Official shall note the objection on the Voters' List and require the Elector to take a prescribed oath prior to issuance of a ballot.
12. To protect the secrecy of the vote, Scrutineers will not be able to examine the ballots or to object to ballots or to the counting of votes in a ballot as provided for in Sections 47(5) (e) and 47(5) (f) and Section 54(3) of the Act as the ballots are being fed into the Vote Tabulator by the Election Official.
13. The total of votes cast for each Candidate as counted by the vote tabulating equipment and as accepted by the TDRO is final.
14. A Site Manager shall provide a Candidate/Scrutineer, a printout of the unofficial results, at the conclusion of Voting Day.
15. Scrutineers may place their seal on the ballot box after counting of the votes, when the TDRO seals the box, so that ballots cannot be deposited or withdrawn without breaking the seal.
16. A Candidate or their Scrutineer is entitled to be present when the ballot box and documents are delivered to the CAO/Clerk.

### **Preparing the Tabulators for Voting**

1. Connect the ImageCast power cord to the tabulator, and then connect the plug end to the wall outlet. Within seconds, the operator screen will display a message indicating that the ImageCast unit is starting up. The ImageCast will perform a series of internal checks to confirm that the unit is in proper working order.
2. When these checks are complete, the ImageCast will prompt you to firmly press your security key to the security key pad to verify the election files. Once the election files are verified, the administration options menu will appear on the operator screen.
3. To open the poll, in the presence of scrutineers, select the 'Open Poll' option and follow the on-screen instructions.
4. The ImageCast will automatically print a report tape and will prompt you asking if you would like to print an additional copy. Select "Yes" or "No" to instruct the system to print or not to print additional reports.
5. Examine the heading at the top of the report tape and verify that the tape displays the correct VOTING STATION NAME and/or NUMBER for your location. If the totals are zero for all Candidates, by-laws and questions, the TDRO shall ensure that the Zeros Tape remains affixed to the Vote Tabulator until the results are printed by the Vote Tabulator after the close of the vote. TDROs and Site Managers sign the Zeros Tape.

6. If the totals are not zero for all Candidates, by-laws and questions, the TDRO or Site Manager shall, immediately notify the CAO/Clerk and shall conduct the vote using the Auxiliary Ballot Box until the Vote Tabulator is made operational or the CAO/Clerk or designate provides a back-up Vote Tabulator to the Voting Location.
7. The ImageCast system is now ready to process ballots when the voting location opens. Put the security key in a safe place at this time so it cannot be misplaced. You are responsible for this key at all times.

### **Procedures in Normal Circumstances – Tabulator Voting**

1. Each Elector arrives at the ballot issuing table, the DRO verifies that the name of the person is entered on the Voters' List. The DRO shall, at the same time as the ballot is delivered, provide a Privacy Sleeve to each Elector, and briefly explain the voting procedure. Mark off the poll matrix in the top right hand corner of the ballot.
2. Upon receiving the ballot, the Elector shall:
3. Immediately proceed to the voting compartment; using the ballot-marking pen provided, vote by filling in the circle or oval to the right of the Candidate(s) of their choice or for the answer to any by-law or question. (Normally, only one person is permitted in a voting compartment at any time.)
4. After marking the ballot in the voting compartment, the Elector shall:
  - a) insert the ballot into the privacy sleeve;
  - b) leave the compartment without delay;
  - c) deliver the Privacy Sleeve containing the ballot to the TDRO.
5. The TDRO immediately requests that the Elector please remain until the Vote Tabulator has successfully accepted the ballot, and shall, in the presence of the Elector and without removing the ballot from the privacy sleeve, and:
  - a) if a Vote Tabulator is available in the Voting Location, insert the Privacy Sleeve containing the ballot, into the feed area of the Vote Tabulator until the Vote Tabulator draws the ballot from the Privacy Sleeve in full view of the Elector; or
  - b) if a Vote Tabulator is not available in the Voting Location, insert the ballot directly into the ballot box from the Privacy Sleeve in full view of the Elector.
6. If a Vote Tabulator is available in the Voting Location but fails to operate, the TDRO shall:
  - a) insert the ballot into the Auxiliary Ballot Box compartment and
  - b) insert the ballots into the feed area of the Vote Tabulator after the close of the voting.
7. The TDRO thanks the Elector, and the Elector promptly leaves the Voting Location. A person whose ballot has been placed in the ballot box is deemed to have voted.

## **Ballot Returned When Using Privacy Sleeve**

1. The sleeve (with the ballot inside) is inserted into the input slot on the front of the Tabulator by the TDRO (with the Elector present or nearby). The ballot will be pulled into the Tabulator, and the TDRO will then pull the Privacy Sleeve away from the input slot.
2. If the ballot is then returned by the Tabulator the TDRO will hold the Privacy Sleeve above the input slot so that the returning ballot will feed out under the sleeve, so that the TDRO cannot see the votes on the ballot:
  - a) take hold of the ballot as it feeds out of the unit, then take it and press it to the underside of the privacy sleeve, so that the votes on the ballot cannot be seen.
  - b) holding the sleeve (with the ballot pressed up against the underside of the sleeve), the TDRO will hold the sleeve low and aimed downwards and will hand the sleeve (with the ballot pressed up against the underside of the sleeve) back to the Elector.

## **Procedures in Extraordinary Circumstances**

1. Blank Ballot
  - a) The TDRO shall advise the Elector that the Tabulator does not detect any votes in the designated voting spaces and requests the Elector to proceed to the voting compartment to complete the ballot.
  - b) If the Elector chooses not to complete the ballot and returns the ballot to the TDRO, the TDRO confirms the Elector's intentions and then inserts the ballot into the Vote Tabulator by pressing the override button.
  - c) If a ballot described in this section is returned by the Vote Tabulator and the Elector who delivered the ballot is not present, the TDRO shall use the Vote Tabulator override button and insert the ballot into the feed area of the Vote Tabulator until the Vote Tabulator draws the ballot from the privacy sleeve.
2. Ballot Accidentally Spoiled
  - a) The Vote Tabulator will eject ballots which have over-votes for any of the races (i.e. the Elector filled in too many ovals or arrows.)
  - b) If a ballot is returned by the Vote Tabulator and the Elector who delivered the ballot is still present, the TDRO shall mark the ballot "cancelled," place the ballot in the cancelled ballot envelope, deliver another ballot to the Elector and instruct the Elector how to properly mark the ballot.
  - c) If the Elector chooses not to complete a new ballot and returns the ballot to the TDRO, the TDRO confirms the Elector's intentions and then inserts the ballot into the Vote Tabulator by pressing the override button.
  - d) If the ballot "over-voted" is returned by the Vote Tabulator and the Elector who delivered the ballot is not present, the TDRO shall use the Vote Tabulator override button and insert the ballot into the feed area of the Vote Tabulator until the Vote Tabulator draws the ballot from the privacy sleeve.

### 3. Damaged or Defective Ballot

- a) If a ballot "Invalid Ballot" is returned by the Vote Tabulator and the Elector who delivered the ballot is still present, the TDRO shall re-insert the ballot into the feed area of the Vote Tabulator. If the Vote Tabulator again rejects the ballot, the TDRO shall mark the ballot "defective," place the ballot in the Defective ballot envelope and deliver another ballot to the Elector through the appropriate DRO.
- b) If the Elector who delivered the ballot is not present, mark the ballot "defective" and insert the ballot into the envelope "Defective Ballots Holding."

### **Procedure in the event a Tabulator or memory card malfunctions during the voting process**

1. In the event that a Tabulator malfunctions during the voting process and the memory card is still functional, it may be necessary for an adjustment or replacement of the Tabulator. If this is necessary, the preferred course of action is to substitute the faulty equipment with a spare Vote Tabulator.
2. The following steps shall be performed in order to smoothly and quickly replace the faulty equipment and resume the regular voting activities. NOTE: At no time shall an Elector be prevented from casting their ballot. Push in the perforated auxiliary ballot slot on the front of the ballot box and insert ballots until the unit is operational.
  - a) The TDRO shall remove the memory card from the malfunctioning Tabulator and insert the memory card into the replacement Tabulator.
  - b) The TDRO shall pack up the faulty equipment and set up the substitute Vote Tabulator. In an effort to expedite the replacement, the Election Official who delivered the replacement Tabulator may assist in packing up the faulty equipment.
3. The TDRO shall turn on the replacement Tabulator and proceed to print a re-start tape to verify the number of ballots processed to that point. No results are displayed on this tape. The TDRO shall then sign the re-start tape and leave the tape attached to the Vote Tabulator. The existing ballot continues to be used to accept ballots that are to be fed through the replacement Tabulator for the remainder of the day. The ballots that were inserted in the auxiliary ballot slot will remain there until the end of Voting Day.
4. In the event a memory card malfunctions, the TDRO shall immediately contact the Municipal Clerk's Office. Once a replacement memory card has been provided, the TDRO shall:
  - a) Verify that the Vote Tabulator and replacement memory card are operational, seal the ballot box containing any ballots which were previously processed or inserted into the Auxiliary Ballot Box compartment during the "equipment swap" and set it aside in a secure location until the close of the poll.
  - b) A new, empty ballot box is then used to accept ballots that are to be fed through the Tabulator with the new memory card for the remainder of the day.
  - c) The TDRO shall turn on the Vote Tabulator and proceed to print, verify and sign the Zero Tape, as was done prior to the opening of the poll.

- d) The ballots in the original ballot box will be fed through the Vote Tabulator after the close of the poll.

### **Procedure for Closing the Voting Location during Advance Voting**

If a Vote Tabulator has been used for advance voting, the procedures contained in this section shall be followed by the Election Official to close the Advance Voting Location at the end of each day.

#### **TDRO responsibilities:**

1. The TDRO removes all defective ballots from the envelope for "Defective Ballots Holding." These ballots were previously placed in this envelope because they could not be read by the Vote Tabulator and the Elector had left the Voting Location.
2. The TDRO uses a new unused ballot and prepares a replacement ballot in the view of any Candidates or Scrutineers present by marking a new ballot with the same marks contained in the designated voting spaces on the defective ballot, and the replacement ballot shall be clearly labelled "replacement" and given a serial number which shall also be recorded on the defective ballot.
3. The TDRO shall substitute the replacement ballot for the defective ballot and feed the replacement ballot into the Vote Tabulator. If the Vote Tabulator still will not process the ballot (i.e. the original marks made by the Elector and duplicated by the TDRO or Election Official are incapable of being processed by the Tabulator), use the Tabulator over ride button and insert the ballot into the feed area of the Vote Tabulator;
4. The defective ballot is placed in a defective ballot envelope (if the Vote Tabulator was not able to process the replacement ballot, this fact shall be recorded on the defective ballot).
5. The TDRO or Election Official shall, after the close of each Advance Voting Day, check the back-up compartment of the ballot box for ballots to ensure all ballots have been processed.
6. Look at the display on the Vote Tabulator and write down the number of ballots processed through the unit. The number will later be recorded on the statement form.
7. Turn the Vote Tabulator off and place it in the carrying case provided, if the Tabulator is to be used on a daily basis, ensure that the memory cards and Tabulators are individually secured.
8. Seal the ballot box to ensure the box cannot be re-opened without breaking the seals and to cover the ballot slot.
9. On the last day of advance voting in full view, remove the Zeros Tape from the Vote Tabulator and cut the plastic tie on the Vote Tabulator and remove the memory card. Place the memory card and the Zeros Tape into the Security Envelope and seal the envelope.

#### **The DRO shall complete the remaining tasks:**

1. Make out an Election Results Report in duplicate of the number of
  - a) ballots received from the CAO/Clerk;
  - b) ballots counted by the Vote Tabulator;
  - c) cancelled ballots;
  - d) defective ballots; and

- e) unused ballots.
- 2. Sign and place the original copy of the Election Results Report in the return envelope to be delivered to the CAO/Clerk or designated Municipal Office;
- 3. Attach the duplicate copy of the statement of all ballots that have been counted by the Vote Tabulator to the Voters' List;
- 4. Ensure that the original signed statement, the security envelope (containing the Zeros Tape and the memory card), and the duplicate copies of Application of Entry on Voters' List at the Voting Location forms are all placed in the return envelope. Seal the return envelope and set aside.
- 5. Place all other used forms, unused forms and supplies into the ballot transfer carrying case. Seal the case in such a way so that it cannot be reopened without breaking the seal.
- 6. The TDRO shall deliver the transfer carrying case, all ballot boxes, voting compartments, the Vote Tabulator and the return envelope to the CAO/Clerk or designated Municipal Office.

### **Procedure for Closing the Voting Location on Voting Day**

The procedures contained in this section shall be followed by the Election Official to close the Voting Location at the end of Voting Day.

### **TDRO responsibilities:**

- 1. The TDRO removes all defective ballots from the envelope for "Defective Ballots Holding." These ballots were previously placed in this envelope because they could not be read by the Vote Tabulator and the Elector had left the Voting Location.
- 2. The TDRO uses a new unused ballot and prepares a replacement ballot in the view of any Candidates or scrutineers present by marking a new ballot with the same marks contained in the designated voting spaces on the defective ballot, and the replacement ballot shall be clearly labelled "replacement" and given a serial number which shall also be recorded on the defective ballot.
- 3. The TDRO shall substitute the replacement ballot for the defective ballot and feed the replacement ballot into the Vote Tabulator. If the Vote Tabulator still will not process the ballot (i.e. the original marks made by the Elector and duplicated by the TDRO or Election Official are incapable of being processed by the Tabulator), use the Tabulator over ride button and insert the ballot into the feed area of the Vote Tabulator;
- 4. The defective ballot is placed in a defective ballot envelope (if the Vote Tabulator was not able to process the replacement ballot, this fact shall be recorded on the defective ballot).
- 5. The TDRO or Election Official shall, after the close of the voting, check the back-up compartment of the ballot box for ballots to ensure all ballots have been processed.



6. Look at the display on the Vote Tabulator and write down the number of ballots processed through the unit. The number will later be recorded on the statement form;
7. Secure the Vote Tabulator against receiving any more ballots;
8. Obtain a printed record of the votes given for each Candidate and, if applicable, the votes given for and against a by-law or question;
9. Sign the certificate portion of the printed record along with any scrutineers who are present and wish to sign;
10. Remove the Zeros Tape and attached printed record from the Vote Tabulator and place them in the Election Results Report envelope;
11. Provide additional copies of printouts for any scrutineer upon request;

### **Turning off the Vote Tabulator**

1. Press the security key to the security key pad to bring up the administrator menu. From the administrator menu, press the "Close Poll" button. The screen will ask if you are sure you wish to close polls, press "Yes".
2. The unit will print the preset number of Election Results Report, and the screen will ask if you wish to print additional copies of the Election Results Report (press Yes or No as required).
3. Follow your municipal rules regarding handling of the Election Results Report.

To shut the unit down, press the "Power Down" button on the administrator screen. The screen will ask if you are sure you wish to power down, press "Yes".

4. Once the tabulator screen is off, unplug the machine.
5. Follow your municipal rules regarding returning ballots and election equipment to Election Headquarters.
6. Seal the ballot box to ensure the box cannot be re-opened without breaking the seal and to cover the ballot slot.
7. The TDRO shall deliver the transfer carrying case, all ballot boxes, the Vote Tabulator and the return envelope to the CAO/Clerk's Office or designated Municipal Office.
8. Once at the designated return location an election official will cut the seals on the tabulator, remove the memory cards and upload the results to the Municipal Office.
9. Once the upload is complete, all broken seals, memory cards and signed security seal forms are placed in the TDRO Envelope, sealed and affixed to the side of the Ballot Transfer Case.

## **The DRO responsibilities:**

1. Make out a statement in duplicate of the number of,
  - a) ballots received from the CAO/Clerk,
  - b) ballots counted by the Vote Tabulator,
  - c) cancelled ballots,
  - d) defective ballots, and
  - e) ballots unused.
2. Sign and place the original copy of the Election Results Report in the statement envelope;
3. Attach the duplicate copy of the Election Results Report and all ballots that have been counted by the Vote Tabulator to the Voters' List;
4. Ensure that the original signed statement, the security envelope (containing the Zeros Tape with one copy of Election Results Report as provided by the Vote Tabulator), and the duplicate copies of Application of Entry on Voters' List at the Voting Location forms are all placed in the return envelope. Seal the return envelope and set aside.
5. Place all other used forms, unused forms and supplies into the ballot transfer carrying case. Seal the case in such a way so that it cannot be reopened without breaking the seal. Return to the CAO/Clerk's Office or designated Municipal Office along with the voting compartments.
6. If a Vote Tabulator has been used to tabulate votes cast in a Voting Location but the tabulation of the votes cannot be completed because the Vote Tabulator is not operating or cannot be made to operate within a reasonable time following the close of the voting, the TDRO shall, after the close of the voting and after determining the tabulation cannot be completed,
  - a) seal the ballot box in such a manner that it cannot be opened or any ballots deposited in it without breaking the seal;
  - b) secure the Vote Tabulator against receiving any more ballots;
  - c) place all supplies and all cancelled, declined, defective and unused ballots in the transfer carrier and seal it;
  - d) personally deliver the ballot box, supply carrier, ballot transfer container and Vote Tabulator to a place designated by the CAO/Clerk where a back-up Vote Tabulator is located;
  - e) ensure that the totals of the back-up Vote Tabulator are zero for all Candidates, by-laws and questions;
  - f) insert all the ballots from the ballot box into the back-up Vote Tabulator and follow the procedures for closing the voting location.

## **No Vote Tabulator Provided**

If a Vote Tabulator has not been provided in a Voting Location, the DRO shall immediately after the close of voting:

1. deliver all materials, and ballot boxes to the location designated by the CAO/Clerk;
2. the CAO/Clerk, or a person designated by the CAO/Clerk, shall at the close of the vote, feed the ballots (from the Voting Location(s) where voting equipment was not used) into a Vote Tabulator and into the ballot box;
3. The "Procedure for Closing the Voting Location on Voting Day" shall be followed.

## **Advance Voting and Early Closing of Voting Locations – Voting Day**

The total of the votes at an Advance Voting Location or at a Voting Location that closes early under Section 46(3) of the Act shall not be printed and the procedures for closing a voting location of this manual shall not be followed until after 8:00 p.m. on the Voting Day.

### **General**

If, at the close of the voting, the CAO/Clerk is of the opinion that it is impracticable to count the votes with the Vote Tabulators, he or she may direct that all the votes cast in the election shall be counted manually following as far as practicable the provisions of the Act governing the counting of votes.

The Clerk shall, at the completion of the count, 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.

### **Institution/Retirement Home Voting Results**

The total of the votes from the Institution/ Retirement Home locations shall not be processed or made available until after 8 p.m. on Voting Day. For this purpose, the Election Official shall attend at the location designated by the CAO/Clerk to complete the Voting Location final Election Results Report and provide the results to Candidates or Scrutineers present.

The same procedure for "Closing the Voting Location on Advance Voting Day" shall be followed.

### **Recounts**

Subject to the order of a judge under Section 60(3) of the Act, if a recount of votes is held, the votes shall be counted in the same manner as the votes were counted on Voting Day.

A Vote Tabulator shall be tested before the recount in the manner described in the testing of vote tabulators section of this manual.

The CAO/Clerk shall attend the recount and bring the supply carriers, ballot transfer containers, Vote Tabulators, statement envelopes and all documents that, in the opinion of the CAO/Clerk, are relevant to the recount.

If a Vote Tabulator is used for a recount, the recount is limited to the ballots tabulated by a Vote Tabulator during the Advance Voting Days and on Voting Day.

- (a) Subject to an order of a judge under Section 60(3) of the Act, if a Vote Tabulator is used for a recount, those persons referred to in paragraph 2, 3 or 4 of Section 61(1) or 61(2) will be unable to examine the ballots or to dispute the validity of a ballot or the counting of votes in a ballot as provided for in Section 61(5) of the Act, as the ballots are being fed into the Vote Tabulators by the Election Officials.

### **Preparation of Voter Notification Letters**

Voter Notification Letters will be mailed to every eligible elector registered to vote with the Municipality of Dutton Dunwich. Voter Notification Letters should be received by Electors no later than the first week of October.

The Voters' List, being the compilation of the Preliminary List of Electors and Interim List of Changes, shall be provided to Datafix in electronic format so that the Voter Notification Letters may be printed.

Voter Notification Letters shall be delivered to Canada Post and distributed by mail to all eligible voters.

### **Duplicate Voter Information Letters**

Duplication of names on the Preliminary List of Electors shall be investigated by the Clerk and/or Election Official(s) and all obvious duplicate names of individuals shall be deleted prior to the final preparation of the Voters' List as certified by the Clerk.

### **The CAO/Clerk's Office**

The CAO/Clerk's Office shall be responsible for the following:

1. Eligible voters who attend the CAO/Clerk's Office and are not on the Voters' List will be able to be added to the list by filling out an "Application to Amend Voters' List", Form EL15, or electronically through VoterView, and providing proof of identity and residence as prescribed in *O. Reg. 304/13*. Their names will be added to the Voters' List.
2. Answering election questions and referring detailed questions to the Returning Officer or authorized Election Official.
  - (a) for that particular race or question, or any other race or question that has not been previously voted.