

# MUNICIPALITY OF MAGNETAWAN

## 2018

# VOTE BY MAIL PROCEDURES

**Revisions:**

1. December 31, 2017 (original version)
2. March 29, 2018
3. April 27, 2018
4. October 10, 2018
5. October 18, 2018 (this version) – date change on page 14 noted in red

# INTRODUCTION

The 2018 Municipal Election is governed by the *Municipal Elections Act, 1996* and all amendments and regulations, thereto.

The Council of the Corporation of the Municipality of Magnetawan enacted By-law 2017-17 on March 22, 2017 authorizing the use of Vote By Mail as an alternative voting method for the 2018 municipal election. The *Municipal Elections Act, 1996* provides that when a by-law authorizing the use of an alternative voting method is in effect, sections 43 (advance votes) and 44 (voting proxies) apply only if the by-law so specifies. Pursuant to By-law 2017-17, Council has authorized the elimination of advance votes and proxy voting and authorized a ballot return station at the Municipal Office.

In the event of a postal strike on or about Nomination day, July 27, 2018, the Clerk shall declare an emergency and make such arrangements for voting that the Clerk considers advisable and are consistent with the principles of the *Act*.

The *Municipal Elections Act, 1996*, Section 42(3) requires that the Clerk establish procedures and forms for the use of any alternative voting method and provide a copy of the procedures and forms to each candidate.

The *Municipal Elections Act, 1996*, Section 12 confers the power to the Clerk to provide for any matter or procedure that is not otherwise provided for in an *Act* or regulation and in the Clerk's opinion, is necessary or desirable for conducting the election; the power to establish forms and require their use; and to require proof of a person's identity or qualifications including citizenship or residency or of any other matter.

The Clerk may appoint in writing, Deputy Returning Officers, (DROs) and such other officials as required, to assist in the administration, management, security and control of the Vote by Mail election system.

*As Clerk of the Municipality of Magnetawan, I, Andrew Farnsworth, do hereby certify the following procedures for conducting the 2018 municipal elections as being those permitted to be used during this election process.*

original signed by Andrew Farnsworth  
Clerk

original signed December 31, 2017  
Date

ATTACHMENTS:

By-Law 2017-17

**THE CORPORATION OF THE MUNICIPALITY OF MAGNETAWAN  
BY-LAW NO. 2017 - 17**

**Being a By-law to authorize 'Vote by Mail' for Municipal Elections**

**WHEREAS** Section 42 of the Municipal Elections Act, S.O. 1996 provides that a municipal Council may pass a by-law authorizing electors to use an alternate voting method that does not require electors to attend at a voting place in order to vote.

**AND WHEREAS** Council deems it appropriate and in the public interest to conduct municipal elections using vote by mail.

**NOW THEREFORE** the Council of the Corporation of the Municipality of Magnetawan hereby enacts a by-law as follows:

1. **THAT** the alternate voting method of 'Vote by Mail' is hereby authorized for municipal elections in the Municipality of Magnetawan.
2. **THAT** a Ballot Return Station shall be established at the Municipal Office on the dates and times to be designated in the procedures and rules for the vote by mail municipal election.
3. **THAT** Ballot Returning Station means a voting place under the supervision of a Deputy Returning Officer where electors who prefer to deliver or have delivered their completed ballots, may deposit their ballots directly into the care of the Municipal Clerk rather than forwarding their ballots by mail.
4. **THAT** every elector has the responsibility of completing the ballots in accordance with the Municipal Elections Act 1996, as amended, and the procedures authorized by this By-Law and returning the completed ballots to the Municipal Clerk by mail or by deposit at the Ballot Return Station on or before 8:00 p.m. on Voting Day.
5. **THAT** no proxy voting provisions or advance voting provisions other than the Ballot Return Station are applicable at the Municipal Elections conducted in accordance with this By-law.
6. **THAT** the Municipal Clerk shall prepare procedures and rules for the vote by mail municipal election and provide these procedures and rules to each candidate when their nomination is filed.
7. **THAT** any person, corporation or trade union guilty of corrupt practices or contravening the provisions of the Municipal Elections Act 1996 of the procedures and rules established in paragraph 6 of this by-law may be prosecuted pursuant to the provisions of the Municipal Elections Act 1996, Sections 89 to 94, inclusive.
8. **THAT** this By-Law shall take effect on the date of passing thereof.

**READ A FIRST, SECOND, AND THIRD TIME**, passed, signed and the Seal of the Corporation affixed hereto, this 22<sup>nd</sup> day of March, 2017

**THE CORPORATION OF THE  
MUNICIPALITY OF MAGNETAWAN**

Original Signed by Sam Dunnett

## DEFINITIONS

1. **Clerk:** means the Clerk for the Municipality of Magnetawan or their designate
2. **Community Centre:** means the Municipality of Magnetawan Community Centre, located at 4304, Highway 520, Magnetawan, ON, P0A 1C0
3. **DRO:** means the Deputy Returning Officer for the 2018 Magnetawan municipal election
4. **MEA:** means the *Municipal Elections Act, 1996, S.O. 1996, c. 32*, as amended
5. **Office:** means the Municipality of Magnetawan Office, located at 4304 Highway 520, Magnetawan, ON, P0A1C0
6. **Office Hours:** means from 9:00 AM to 12:00 PM and from 1:00 PM to 4:30 PM, Monday to Friday. The Office will be closed for holidays and for other reason that may be posted at the Office.
7. **Paper:** means the East Parry Sound District Almaguin News
8. **Website:** means the Municipality of Magnetawan website, [www.magnetawan.com](http://www.magnetawan.com)

## NOMINATIONS

### Nomination Papers

The Clerk will give notice of the offices for which a person may be nominated and the nomination period by posting such notice in a conspicuous place at the Office and on the Website and prior to May 1, 2018.

Nomination forms will be available at the Office and on the Website from 9:00 AM Tuesday, May 1, 2018 to 2:00 PM local time Friday, July 27, 2018.

Nomination papers for school boards must be obtained and filed at the appropriate Municipal Office that is organizing the school board election.

Nominations will be received at the Office during Office Hours from Tuesday May 1, 2018 up to and including 2:00 p.m. on Nomination Day, Friday, July 27, 2018.

Nominations must be on the prescribed forms and accompanied by the prescribed fee, \$200.00 for the office of Mayor and \$100.00 for the office of Councillor. The prescribed fee must be in the form of cash, certified cheque or money order. Nominations may be filed in person or by an

agent. Faxed or emailed nomination forms will not be accepted, as original signatures are required. The nomination must include a completed Declaration of Qualifications. Photo identification must be provided by the candidate and will be copied, certified and retained. Acceptable photo identification includes a Canadian passport, an Ontario driver's license or an Ontario Health Card. If an agent is filing on behalf of a candidate, the agent shall be required to provide both the candidate's and the agent's identification.

The Clerk will administer the Declaration of Qualifications oath to the candidate and will fill in the date and time of filing.

At 2:00PM local time on Nomination Day, an election official will verbally identify the final person waiting in line at the Office with nomination papers to be filed. Any person wishing to file nomination papers who is not in line at 2PM with their nomination papers will not be eligible for nomination.

#### **Registration of Third Party Advertisers**

An individual, corporation or trade union may, in person or by an agent, file a notice of registration with the Clerk on the prescribed form to be a registered third party for the election. The notice must include a declaration of qualification signed by the individual or by a representative of the corporation or trade union.

The notice may be filed at the Office during business hours between 9:00 AM Tuesday, May 1, 2018 and 4:30 PM Friday, October 19, 2018.

#### **Estimated Maximum Campaign or Third Party Expenses**

The Clerk shall calculate the estimated maximum campaign expenses and estimated maximum contribution to own campaign for each candidate on the "Estimated Maximum Campaign Expenses" and "Estimated Maximum Contributions to Own Campaign" forms and provide a copy to the candidate or their agent on the day that the Nomination Paper is filed.

The Clerk shall calculate the estimated maximum expenses for each third party on the "Estimated Maximum Third Party Expenses" form and provide a copy to the third party on the day that the notice of third party registration is filed.

The Clerk's calculation is final.

#### **Notice of Penalties**

Before voting day, the Clerk shall provide a notice of penalties on the "Notice of Penalties" form to the candidate or their agent.

#### **Municipal Freedom of Information and Protection of Privacy Act**

The candidate may sign the "Consent to Release Personal Information" form authorizing the Clerk to release personal information to the public and media.

#### **Unofficial List of Candidates**

The Clerk shall provide notice of the unofficial list of candidates by posting in the Office and on the Website an “Unofficial List of Candidates” form which will be updated as soon as possible after each Nomination Paper is filed. The list will be clearly marked as “UNOFFICIAL”

#### **Withdrawal of Nomination Papers**

Candidates may withdraw their Nomination Papers by filing a withdrawal in writing on the “Withdrawal of Nomination” Form, in person at the Office, with the Clerk before 2:00 PM on Nomination Day if the person was nominated on or before Nomination Day; and before 2:00 PM on the Wednesday following Nomination Day if the person was nominated under Section 33(5) of the MEA – Additional Nominations.

#### **Certification of Nomination Papers**

Prior to 4:00 p.m. on Monday July 30, 2018, the Clerk will examine each nomination filed to determine qualification and that the nomination complies with the MEA. Once satisfied that the candidate is qualified and that the nomination complies with the MEA, the Clerk will complete the “Certification by Clerk or Designate” section on the Nomination Paper.

#### **Rejection of Nomination Papers**

If the candidate is not qualified to be nominated or the nomination does not comply with the MEA, the Clerk will reject the nomination. A telephone call will be made to the candidate informing them of the rejection, and a “Notice of Rejection of Nominations” form will be sent by registered mail to the person who sought to be nominated and all candidates for that office.

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

The Clerk will post the final list of certified candidates, including the candidate’s name and the office for which they are nominated, at the Office and on the Website as soon as possible following certification of the candidates.

#### **Acclamations**

If after 4:00 PM on Monday, July 30, 2018, the number of certified candidates for an office is the same as the number to be elected, the Clerk shall immediately declare the candidate(s) elected by acclamation, and the Clerk shall post a “Declaration of Acclamation to Office” form.

#### **Fewer Number of Nomination Papers than Offices**

If after 4:00 PM on Monday, July 30, 2018, the number of certified candidates for an office is less than the number of persons to be elected to the office, additional nominations may be filed between 9:00 AM and 2:00 PM on Wednesday, August 1, 2018. The Clerk shall post a “Notice of Additional Nominations” form at the Office and on the Website to advise electors that additional Nomination Papers may be filed for that office during the specified time.

The Clerk shall follow the procedures listed above to review, certify and/or reject the Nomination Papers by 4:00 PM on Thursday, August 2, 2018. If the number of certified candidates still does not exceed the remaining number of vacancies, the Clerk shall immediately declare the additional candidate(s) elected by acclamation, and the Clerk shall post a “Declaration of Acclamation to Office – Additional Nominations” form.

#### **Withdrawal of Additional Nominations**

Withdrawal of additional nominations must take place prior to 2:00 PM on Wednesday, August 1, 2018. The Clerk shall follow the procedure as outlined in the Withdrawal of Nomination Papers section as described above.

**Additional Nominations More Than Number of Offices Remaining**

If after 2:00 PM on Wednesday, August 1, 2018, there are more than a sufficient number of certified candidates to fill the office(s), an election shall be conducted with the names of the persons who have filed Nomination Papers and who have not been acclaimed.

**Additional Nominations Same As Number of Offices Remaining**

If at 4:00 PM on Thursday, August 2, 2018 there is a sufficient number of certified candidates to fill the office(s), the Clerk shall post a “Declaration of Acclamation to Office – Additional Nominations” form, and no election shall be held for the office(s).

**Insufficient Number of Certified Candidates Filed to Form a Quorum**

If the number of certified candidates is insufficient to form a quorum of Municipal Council, a by-election shall be held.

**Sufficient Number of Certified Candidates to Form a Quorum**

If the number of certified candidates is less than the number of positions for an office of the Municipal Council but does form a quorum, Section 263 (1) of the *Municipal Act, 2001* shall apply.

**Death or Ineligibility of a Candidate**

If a certified candidate dies or becomes ineligible before the close of voting and the result would be an acclamation for an office, the election to such an office is void and a by-election for such office shall be held.

If the result of the death or ineligibility would be one less candidate only and no acclamation, the candidate’s name shall be omitted from the ballot. If the ballots are already printed, the Clerk shall post the notice of the death or ineligibility in a conspicuous place in every voting place and the election shall proceed as if the deceased or ineligible candidate had not been nominated.

No votes are to be counted for such candidate who has died or become ineligible.

**Final Calculation of Campaign Expenses**

The Clerk shall, after determining the number of eligible electors from the Voters’ List for each office, calculate the maximum amount of campaign expenses and own campaign contribution that each candidate and third party may incur and prepare a “Certificate of Maximum Campaign Expenses” or “Certificate of Maximum Expenses for Parties” and “Certificate of Maximum Contribution to Own Campaign” form. The certificate shall be delivered to each candidate and third party no later than September 25, 2018. The Clerk’s calculation is final and shall be made in accordance with the prescribed formula under *Ontario Regulation 101/97*.

**Declaration of Election**

If after 4:00 PM on Monday July 30, 2018, the number of certified nominations filed for an office is more than the number of persons to be elected to the office, the Clerk shall declare an election to be conducted. The Clerk shall post a “Notice of Election Information” form by 4:30 PM Monday, July 30, 2018 in the Office, on the Website, and in the Almaguin News on

Thursday, August 2, 2018, describing the manner in which electors may use the alternative voting method, the dates and times of the voting period and other such information as determined by the Clerk.

### **PRELIMINARY LIST & VOTERS' LIST**

The Preliminary List of Electors (PLE) is to be provided to the Clerk by MPAC on a date as mutually agreed upon by both and not later than August 31, 2018. The Clerk may use any information that is in the municipality's custody or control (subject to MFIPPA) when correcting the PLE for obvious errors.

Once the Clerk has corrected any obvious errors, the Preliminary List of Electors becomes the Voters' List following certification by the Clerk. The MEA states that the Voters' List cannot be posted in a public place and can be used only for election purposes.

On or after September 1, 2018, the Clerk shall reproduce the Voters' List for candidates and other parties as specified in the legislation. Upon written request and completion of the *Candidate's Declaration - Proper Use of Voter's List* form and any charge for additional copies, the Clerk shall provide a candidate with a copy of the Voters' List.

### **AMENDMENTS TO THE VOTERS' LIST**

The voters list may be amended using the prescribed form established by the Clerk, and by providing proof of identity and residence as prescribed in O. Reg. 304/13, at the Office between Tuesday, September 4, 2018 to Monday, October 22<sup>nd</sup>, 2018 during regular business hours and until 8:00 PM on October 22, 2018. Notice of the revision period will be posted in the Almaguin News and on the municipal web site.

The period for application to remove a deceased person's name from the Voters' List is Tuesday, September 4, 2018 to 8:00 PM on October 22, 2018.

Applications to amend the Voters' List must be on the form established by the Clerk. Applications to revise the Voters' List may be filed in person or by mail by the applicant OR in person by agent.

The qualifying address on applications to amend the Voters' List may be the legal descriptions, Lot and Concession OR the civic address.

Electors added to the List before September 14, 2018 will receive their vote by mail package by mail from Datafix.

Electors added to the List between September 14, 2018 to October 4, 2018 will receive their ballot package by mail from the municipality.



After October 4, 2018, it is recommended that those persons making application to add their names to the List do so in person at the Office. If the application is certified by the Clerk or designate, the elector will receive a ballot package from the Clerk or designate at that time.

Where it is not possible to mail a ballot package to an elector and the elector wishes it to be sent by courier service, the Clerk MAY arrange the delivery, COLLECT ONLY.

During the period beginning on September 15, 2018 and ending on September 25, 2018, the Clerk shall prepare an Interim List of the changes to the Voters' List approved under sections 24 and 25 of the MEA on or before September 15. The Clerk shall also during this period provide a copy of the Interim List to each person who received a copy of the Voters' List under section 23 of the MEA and to each certified candidate.

## **VOTING PROCEDURE**

### **Authority**

The Municipality of Magnetawan passed By-law 2017-17 to authorize the alternative voting method of "Vote by Mail" for the 2018 municipal election.

### **Secrecy**

A complaint regarding an election-related breach of secrecy shall be documented by the Election Official who receives the complaint, as well as questions and answers of the complainant. If deemed appropriate, the Clerk shall submit same to the Police for further investigation and prosecution.

### **Vote by Mail Procedures**

The Clerk in conjunction with DataFix shall provide a Voter Kit to every person who qualifies to be an elector up to the close of voting on October 22, 2018.

During the week of September 24, 2018, Voter Kits will be mailed to every eligible voter whose name and address appears on the Voters' List for the Municipality of Magnetawan. Thereafter, the Clerk shall at the time of adding an elector to the Voters' List, deliver or cause to be delivered a Voter Kit to the elector.

**Thursday, October 11, 2018** is the final day to mail a Voter Kit to ensure delivery by Canada Post. Electors who have failed to mail their Voter Kit by Thursday, October 11, 2018 are encouraged to take steps for alternate delivery of Voter Kits to the Municipality of Magnetawan, 4304 Hwy 520 Magnetawan, Ontario P0A 1P0 by 8:00 p.m. on Voting Day, **MONDAY, OCTOBER 22, 2018.**

If an elector on, or added to, the Voters' List does not receive a voter kit, or if the kit is lost, spoiled or destroyed, a replacement kit may be issued. The elector or his agent may attend at the Office to obtain a replacement kit. The Clerk will confirm that the elector is qualified, have the elector or agent complete the form, *Application for Replacement Voter Kit*, and produce a legible copy of prescribed information as stipulated in the Identification Requirements for Voters. If the

ballot was spoiled, it must be presented to the Clerk, prior to a new Voter's Kit being issued. The Clerk will then issue the replacement Voters Kit, noting on the Voters' List, next to the elector's name, that a replacement kit was issued and the number of the kit issued, and noting on the Voter Declaration Form the voter name, and date issues, and initial.

Should a Voter Kit be returned to the municipality as "Undelivered", it shall be marked invalid and placed in a separate box for undelivered kits. If it can be determined that the elector is still eligible to vote in the election and a proper mailing address has been located, a new ballot kit will be issued. The Clerk will note on the Voters' List, next to the elector's name that a new kit issued, and the number of the new kit issued.

The Voter Kit will include the following:

- Voting Instructions & Voter Declaration Form;
- Ballot;
- One (1) coloured, postage paid election Return Envelope; and
- One (1) white ballot Secrecy Envelope.

On receipt of the voter kit, each elector shall follow the instructions provided in the kit **exactly**. These instructions require the elector to:

1. Complete the Ballot;
2. Insert the Ballot into the white ballot Secrecy Envelope and seal the Secrecy Envelope;
3. Sign and detach the Voter Declaration Form;
4. Insert the white ballot Secrecy Envelope into the yellow election Return Envelope;
5. Place the completed Voter Declaration Form into the yellow election Return Envelope;
6. Seal the election Return Envelope; and
7. Mail the election Return Envelope, **as soon as possible**, or deliver it by some other means to the municipality no later than 8:00 p.m. on Voting Day, MONDAY, OCTOBER 22, 2018.

Blank Voter Kits will be stored in a secure place at the municipal office.

## **VOTING PLACE / BALLOT RETURN STATION**

### **Voting Place**

The following location shall be the "Voting Place / Ballot Return Station" for the 2018 Municipal Election in the Municipality of Magnetawan Vote by Mail election:

The Corporation of the Municipality of Magnetawan Municipal Office Building  
4304 HWY 520  
MAGNETAWAN, ONTARIO  
P0A 1P0

Under Section 48(3), Municipal Election Act, the whole of the property at 4304 Highway 520, Magnetawan is hereby designated as part of the "Voting Place/Ballot Return Station". The

posting of signs or any type of campaign material is strictly prohibited at the Voting Place. This policy also applies to the Pavilion, the Community Centre and parking area in its entirety at 4304 Highway 520, Magnetawan.

No use of personal electronic recording devices including, but not limited to, cell phones or cameras is permitted in the area of the Voting Place/Ballot Return Station behind the voting privacy screen, or in the Ballot Counting Centre.

### **Ballot Return Station**

From 9:00 AM Wednesday, September 26, 2018 to 8:00 PM on Monday, October 22, 2018, the Office shall serve as a Ballot Return Station for electors wishing to directly deliver or have delivered their Return Envelope to the Clerk. During this period, the Ballot Box shall remain under the supervision of an Election Official. Each evening, the Ballot Box shall be sealed and kept in a secure location.

The Clerk shall ensure that the Ballot Return Station is accessible.

Electors who are inside the Office at 8:00 PM on Monday, October 22, 2018 will be permitted to deposit their Return Envelopes in the Ballot Box for the purpose of voting.

## **PROCESSING RETURN ENVELOPES PRIOR TO COUNTING**

The opening of Return Envelopes between Wednesday, October 10, 2018 and Monday, October 22, 2018 is for the purpose of Processing Voter Declaration Forms and retaining Secrecy Envelopes in Ballot Boxes until final count on Monday, October 22, 2018.

Candidates/Scrutineers will be permitted to observe the Processing.

A minimum of two Election Officials will pick up Return Envelopes from the Magnetawan Post Office on the following Pick Up Days:

- Wednesday, October 10, 2018 at 10:00 AM;
- Monday, October 15, 2018 at 10:00 AM;
- Wednesday, October 17, 2018 at 10:00 AM;
- Friday, October 19, 2018 at 10:00 AM; and
- Monday, October 22, 2018 at 10:00 AM and 5:00 PM.

Processing of Return Envelopes will occur in the Community Centre no earlier than 10:30 AM following each 10:00 AM pick up, and no earlier than 5:30 PM following the 5:00 PM pick up. Processing may be cancelled due to a lack of Return Envelopes, and notice of such cancellation will be provided verbally to those in attendance for the Processing.

The Community Centre will be secured with no ingress or egress permitted during the Processing.

**To process Return Envelopes, Election Officials shall:**

- 1) Ensure that the Return Envelopes are addressed to the Municipality of Magnetawan. Count and record the number of Return Envelopes received from the Post Office and the number of Return Envelopes that were delivered to the Office by other means
- 2) Open a Return Envelope;
- 3) Confirm that the number of declarations and number of Secrecy Envelopes match.
- 4) Ensure that the Secrecy Envelope is sealed and has no identifiable marks.
- 5) Ensure that the declaration form is signed;
- 6) If a ballot is rejected – the reason for rejection shall be recorded on the master list. The Declaration Forms and Secrecy Envelopes are put back in the Return Envelope and put into a ballot box marked ‘REJECTED’. If the rejection is objected to, the objection number is recorded on the Return Envelope.
- 7) Update the electronic Voters’ List and the Master Voters’ List by striking the name of the elector. Affix a number, consecutively, and note beside the elector’s name the date on which the Voters’ List was updated. Record the number on the manual ‘List of Electors Voted’. The Master Voters’ list shall be kept in the care and control of the Clerk or designate.
- 8) The Voter Declaration Forms will be initialed, to the right of the signature line and bundled in groups of up to twenty-five (25), and secured with a paper clip or elastic, with a post-it note indicating the number contained, at the end of each designated day and, before placing in the ballot box until the next designated count day.
- 9) The Secrecy Envelopes will be initialed on the back envelope flap, and shall be bundled by elastic in groups of up to twenty-five (25) with a post-it note indicating the number contained at the end of each designated day and placed in the ballot box.
- 10) The total number of Voter Kits processed will be reconciled with the ‘Count by Electors’ report from DataFix and the number reconciled with the number on the manual ‘List of Electors Voted’ and recorded on the Master Voters’ List.
- 11) After all ballot packages have been processed, affix a seal to each ballot box, initial the seal and give the ballot box to the Clerk or DRO for safe keeping.
- 12) If the ballot box is full, it will be sealed, numbered and another ballot box started.

- 13)** At the next designated time, retrieve the ballot boxes, inspect the seals to ensure they are intact, and break the seals to access the box for use.

A separate Return Envelope will be provided to each individual elector. Any Return Envelope which contains more than one Voter Declaration Form or more than one Ballot Secrecy Envelope shall be treated in the following manner:

- Return Envelopes containing equal number of Ballot Secrecy Envelopes to Voter Declaration Forms will be counted.
- If a Return Envelope is received with a different number of Voter Declaration Forms than the number of Ballot Secrecy Envelopes, the ballot(s) will be rejected.

If a ballot package contains a Voter Declaration which has not been signed, the ballot will be rejected.

If a Secrecy Envelope is not sealed, it may be sealed without examining the ballot. If the Secrecy Envelope is cut during the opening of the Return Envelope, the Election Official shall repair the Secrecy Envelope, without examining the contents, and note on the outside of the Secrecy Envelope Code 1 and initial and date.

If the Secrecy Envelope 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 may be rejected.

If a Secrecy Envelope is received with obvious repairs to the envelope (i.e. resealed by the elector), the Election Official shall note on the outside of the Secrecy Envelope Code 2 and initial and date.

When the ballot boxes are opened, the number of Voter Declaration Forms will be reconciled to the number on the Master Voters' List and to the 'List of Electors Voted'.

If a duplicate ballot kit has been issued to an elector & identified on the Master Voters' List, the duplicate kit will be accepted and the original kit for that elector will be rejected.

Rejected voter kits including the Secrecy Envelopes and rejected Voter Declaration forms will be placed together, in a separate ballot box, marked "Rejected Ballots."

Where a ballot envelope is rejected, the reason for the rejection shall be recorded on the 'List of Rejected Voter Kits' form.

For the Ballot Return Station, the above procedure will be followed at 5:30 p.m. and 8:00 p.m. on voting day to process any Vote By Mail Kits that have been delivered to the Municipal Office.

A Master Voters' List containing deletions, amendments and additions, along with those persons who have voted to date and those persons who have been issued with Vote By Mail Kits by the municipality will be maintained by the Clerk. This list may be inspected by candidates or scrutineers at any time during regular office working hours and on October 22, 2018 up to 8:00 p.m.

A Candidate OR his/her designated scrutineer may attend at the "Ballot Return Station" during the hours mentioned above to observe the process of receiving "Vote by Mail Kits" that are mailed in or hand delivered. A Scrutineer must have a signed "Appointment of Scrutineer by Candidate" form and will be required to sign an "Oath of Secrecy" form. A Candidate OR scrutineer may also observe the sealing of the ballot box at the end of the day and initial the seal; and observe the opening of the ballot box at the beginning of the day. The ballot box used at the Ballot Return Station on Monday October 22, 2018 will be opened for the final time at 8:00 p.m. Candidates OR scrutineers may be present and may initial the seals.

**IF A CANDIDATE ENTERS THE MUNICIPAL BUILDING DURING THIS TIME PERIOD AND HIS/HER SCRUTINEER IS IN THE BUILDING, ONE MUST LEAVE IMMEDIATELY. CANDIDATES, PLEASE KNOW WHEN YOUR SCRUTINEER WILL BE IN ATTENDANCE.**

The processing room will be secured, and only Election Officials will be allowed to enter or re-enter during Processing of Return Envelopes. Candidates and Scrutineers leaving after the start of Processing will not be permitted to return.

### **Opening of Secrecy Envelopes and the Counting of Ballots**

Voter Kits received after 8:00 p.m. on Voting Day will be date stamped, will not be counted and will be placed in a secure drop box and retained for the statutory document retention period.

The doors to the Ballot Counting Centre (the Community Centre) will be closed at 8:00 p.m. on Monday October 22, 2018 and only Election Officials as noted above will be allowed to enter or re-enter thereafter. Candidates and Scrutineers leaving the Centre after 8:00 p.m. will not be permitted to return.

Scrutineers must have a signed "Appointment of Scrutineer by Candidate" form, and will be required to sign an "Oath of Secrecy" form. Candidates/Scrutineers will be required to wear a name tag with their name and the name of the candidate they are representing. One Candidate or Scrutineer will be able to observe one of each of the counting stations. Candidates/Scrutineers will be provided with a table at the "Ballot Counting Centre" for their use. Use of cell phones, recording devices or other electronic equipment will not be permitted in the Ballot Counting Centre other than for such election officials as designated by the Clerk and only for the purposes of facilitating the election. Candidates/Scrutineers shall not interfere with the vote count in any manner. Should they do so, they shall be required to leave the facility when so requested by an Election Official.

No campaign material will be allowed within the Ballot Counting Centre. No use of electronic devices will be allowed in the Counting Centre save for by the DRO.

## **ELECTION 2018 – VOTE BY MAIL VOTING DAY – COUNTING PROCEDURES**

1. At the Ballot Counting Centre, after 8:00 p.m. on Monday, October 22, 2018, ballot boxes will be opened at a central table. The number of ballot envelopes will be counted and reconciled. **IF THERE IS ANY DISCREPANCY, THE CLERK or DESIGNATE WILL BE NOTIFIED IMMEDIATELY AND PROPER STEPS TAKEN TO RECONCILE.**
2. The Clerk and an Election Official will deliver the remaining ballots from the Ballot Return Station to the DRO. The DRO will process the remaining ballots as per the Return Envelope processing procedure.
3. The DRO will perform a final reconciliation of the ballots received.
4. Four ballot counting stations with two Election Officials for each station will receive a bundle of up to twenty-five Secrecy Envelopes from the central table. When the initial bundle of ballots is counted, a second bundle of ballots will be delivered for counting, and so on until all ballots have been counted.
5. An Election Official will open a Secrecy Envelope and inspect the ballot for identifiable marks.
6. In the event a ballot is accidentally cut when the Secrecy Envelope is opened, the Election Official shall repair the ballot and attached a notice advising that the damage to the ballot was caused by the Election Official, noting Code 3 and initial. At the time of opening the secrecy envelopes, an Election Official may receive a ballot that had been repaired. The Election Official shall attach a notice to the ballot noting Code 4 and initial.
7. An Election Official will read votes aloud, with counting done first for the office of Mayor, then for the positions on Council and then for School Boards.
8. An Election Official will record the votes on a tally sheet
9. An Election Official will show the ballot to the Candidates/Scrutineers
10. An Election Official will reconcile the ballots in the bundle and place them in the appropriate envelopes, marking the Composite Ballot Sheet accordingly.
11. Following counting of the ballots, Election Officials will provide the DRO with their final tally sheets. The DRO will prepare a final count.

After the count, as per Section 55 (1) of the Municipal Elections Act, a statement, shall be prepared showing the results of the election. The DRO will immediately phone the results to the Clerk at the municipal office. The ballots, all other materials and documents relating to the election, except the original statement of results will be placed in the ballot boxes. The ballot boxes will be sealed and initialed by the DRO and transported to the Clerk, at the Municipal Office, where they will be stored in a secure place.

IF THERE IS ANY DISCREPANCY, AN ELECTION OFFICIAL WILL BE NOTIFIED IMMEDIATELY AND PROPER STEPS TAKEN TO RECONCILE.

### **CODES ASSIGNED FOR ENVELOPES AND/OR BALLOTS CUT DURING OPENING**

**Code 1:** If a secrecy envelope is accidentally cut during the opening of the coloured envelopes, the Election Official shall repair the envelope without examining the contents and write Code 1 on the outside of the secrecy envelope, initial and date and place the secrecy envelope into the ballot box.

**Code 2:** If a ballot envelope is received with obvious repairs to the envelope (i.e. resealed by the elector), the Election Official shall note on the outside of the secrecy envelope Code 2 and initial and date.

**Code 3:** If a ballot is accidentally cut when the sealed ballot secrecy envelope is opened, the Election Official shall repair the ballot and attached a notice noting Code 3, and initial.

**Code 4:** At the time of opening secrecy envelopes, an Election Official may receive a ballot that had been repaired. The Election Official shall attach a notice to the ballot noting Code 4 and initial.

[Procedures combine with above]



## REJECTION OF BALLOTS

In addition to rejecting cast ballots for violations of the *Municipal Elections Act, 1996*; Regulation 101/97 as amended, the following conditions will cause a ballot to be considered rejected:

- Upon opening the Return Vote Envelope there is no Voter Declaration Form;
- Upon opening the Return Vote Envelope the Voter Declaration Form is not signed;
- Upon opening the Return Vote Envelope there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms;
- Upon opening there are identifiable marks on the Ballot Secrecy Envelope;
- Upon opening the sealed Ballot Secrecy Envelope **at the Counting Centre**, there is more than one ballot;
- Upon opening the sealed Ballot Secrecy Envelope at the **Counting Centre**, the envelope contains a ballot which has not been marked; it will be counted as a ballot used but unmarked by an elector.

Any part of any ballot rejected shall not invalidate the remainder of the ballot except if there are identifying marks, in which case the entire ballot shall be rejected.

## SECURITY OF THE BALLOTS

### Security of the Ballot Prior to Voting:

Ballots will be printed under the supervision of DataFix and the number of ballots printed will be forwarded to the Clerk.

Canada Post will mail a ballot to each person identified in the Revised Voters' List as of September 15, 2018 and this number of ballots used will be forwarded to the Clerk.

In addition to the ballots mailed, the Clerk will receive approximately 300 ballots. Once received, the ballots will be counted and the number recorded.

The number of ballots distributed by the Clerk to persons qualifying to be voters after September 15, 2018 will be recorded.

If the Clerk runs out of ballots printed by DataFix, they may photocopy as many voter's kits as he/she deems necessary and place his/her initials upon the back of such ballots and declarations in the kit. The number of kits copied will be recorded.

### Security of the Ballot During/After the Vote:

Upon receiving the 2018 Return Voting Envelopes (prepaid yellow return envelope) by mail or from the Ballot Return Station at the municipal office, they will be stored in sealed Ballot Boxes.

On October 22, 2018 the sealed ballot boxes, will be transported to the Ballot Counting Centre and the boxes opened and the ballots counted.

After the count, each bundle of ballots, along with the duplicate original Statement of results will be placed back into the ballot box. When the vote is complete, the ballot boxes will be sealed and initialed by the Election Official prior to transfer by the DRO to a secure place under the control of the Clerk.

## **FORM OF BALLOT**

The form of ballot will be a “Composite Ballot”.

## **ANNOUNCEMENT OF RESULTS**

Results will be given to and tallied by the Deputy Returning Officer at the Ballot Counting Centre and the results will be phoned to the Returning Officer at the Office.

The Returning Officer will post Unofficial Results of the counting in the Municipal Office.

Official results will be posted in the Municipal Office by 4:00 p.m. on Tuesday October 23, 2018.

## **EMERGENCIES**

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

## **ACCESSIBLE ELECTION**

The Municipality of Magnetawan’s Municipal Election process shall have regard to the needs of electors and candidates with disabilities. The Municipality of Magnetawan provides Accessible Customer Service as per By-law **2017-04**, adopting a Municipal Accessibility Plan. An election accessibility policy will be established, and copies will be available. Copies of By-law **2017-04** are available on request.

## **AMENDMENT TO THIS DOCUMENT**

The Clerk, at any time has the right to amend this document to facilitate the efficient and fair running of the election.

The Clerk’s ruling on any interpretation of this document is final.