



The Corporation of the City of Brantford
2018 Municipal Election
Procedure for use of the Automated Tabulator System
and Online Voting System
(Pursuant to section 42(3) of the Municipal Elections Act, 1996 as amended)

1. DEFINITIONS

Act – means the Municipal Elections Act, 1996, c. 32 as amended;

Advanced Vote -- means the location, dates and hours for casting a ballot prior to Voting Day, as established by by-law.

Audio Ballot – means personal audio ballot that is utilized in conjunction with the ImageCast Ballot tabulators. This ballot is used to provide for persons with a disability the opportunity to vote independently;

Auxiliary Compartment — means the front compartment of the ballot box under the tabulator and where electors' ballots are temporarily stored in the event of a Vote Tabulator fails to operate

Ballot box – means an apparatus in which used ballots are received and transferred from the voting place to the Designated Uploading Area location determined by the Clerk for receiving the Election results and supplies;

Ballot Marking Pen – means the designated black ballot-marking pen provided by the Designated Election Official for the use of an elector to mark the ballot;

Candidate — means a person who has been nominated under Section 33 of the Act.

Certified Candidate — means a candidate whose nomination has been certified by the Clerk under Section 35 of the Act.

Designated Election Official — means any person designated by the Clerk to perform certain election functions. The term “election official” includes but is not limited to the following; Deputy Returning Officer, Managing Deputy Returning Officer, Election Assistant, Revision Officer, and Poll Clerk.



Revision Centre — means a location designated by the Clerk supplied with a telephone and internet connection to assist voters during the voting period. The ability to contact the Help Centre will be limited to regular office hours (8:30 a.m. to 4:30 p.m.) Monday to Friday during the voting period with extended hours whenever a Voting Location is open during the advance period and Election Day.

Vote Tabulator Assistive Device — means a device or piece of equipment used for voters with a disability who cannot negotiate a paper ballot. This device is used in conjunction with the audio ballot and the ImageCast Ballot Marker device.

Ballot Marker Device — this is a printing device used in conjunction with the ImageCast Vote Tabulator that allows the accessible voter to actually produce a human and machine readable marked ballot, completely indistinguishable from a paper ballot marked by hand.

Memory Card – means a storage media used to store electronic/digital data or programs (sequence of instructions) on a temporary or permanent basis. This includes tabulator memory cards;

Online Ballot — means a digital image of a ballot card for an election to be voted for, including all choices available to the electors, and containing spaces in which the electors mark their votes.

Password — means an additional access control word assigned by internet voting provider to each authorized user (ie., Clerk, Election Official) to provide additional security for access to the voting system.

Personal Identification Number (PIN) — means a unique multiple digit number assigned to each voter to provide security for access to the voting system.

Scrutineer — means an individual, appointed in writing by a certified candidate, to represent him or her during the voting process.

Secrecy Folder – means an apparatus in which a ballot can be placed so as to conceal the names of the candidates and the marks upon the face of the ballot so as to expose the initials of the Designated Election Official;

Used Ballot – means a ballot that has been received by the Designated Election Official from an elector and deposited in the ballot box;



Valid Mark – means a mark that fills in the designated space (square box) to the right of a candidate's name, either completely or with an "X", using the black ballot marking pen provided by the Designated Election Official;

Vote Tabulator or Poll Level Vote Tabulator – means a device or piece of equipment that optically/digitally scans the complete ballot to read the votes in the designated areas and store the results to a memory card for later processing.

Voters' List — means the Preliminary List of Electors, as corrected by the Clerk, under the provisions of Section 22 of the Act.

Voting Day — means the final day on which the vote is to be taken in an election and shall be Monday, October 27, 2014 with the close of voting to be at 8:00 pm.

Voter Information Notice — means a letter containing Voting Information including locations to vote in person, online voting details including a PIN, and an internet address for voting, and a Help Centre number for assistance. These letters shall be mailed individually to every person on the Voters' List or provided by Election Officials to persons who have completed an application for inclusion on the Voters' List.

Voting Period — means the period in which an eligible voter may cast their vote, either via internet or in person and includes Advance Vote, Online Voting and Voting Day.

Voting Place — means the only location, both convenient and accessible to the electors, for the purpose of casting a ballot as established by the Clerk.

GENERAL

2. (1) This procedure has been established pursuant to Section 42 (3) of the Municipal Elections Act, 1996.
- (2) This procedure applies to an election conducted by the City of Brantford that has passed a by-law under section 42 of the Municipal Elections Act 1996, authorizing the use of vote tabulators at the voting places.
- (3) Where this procedure does not provide for any matter, an election to which this procedure applies shall be conducted as far as practicable in accordance with the principles of the Act.
- (4) The Clerk shall in writing appoint election officials for the purposes of this Procedure and may designate their titles and duties.



BALLOTS

3. (1) There shall appear on the ballot to the right of each candidate's name, a designated space suitable for the marking of the ballot.
- (2) Subsections (1) apply with necessary modifications to ballots for bylaws and questions.
- (3) The instructions on the ballot direct the elector to vote by filling in the blank space adjacent to the candidate of their choice or the elector's answer to any by-law or question.

VOTING SUBDIVISIONS

4. The City of Brantford has been divided into voting subdivisions (polls) within each of the five (5) wards. In order to accommodate the numbers of voters in some of these voting subdivisions (polls), they may be alphabetically split. Voting subdivisions may be joined together at a single location. Voting results will be tabulated for the voting locations on Voting day cumulatively.

PROGRAMMING OF THE VOTE TABULATORS

5. (1) The vote tabulators shall be programmed so that a printed record of the number of votes cast for each candidate or answers to any by-laws or question can be produced.
- (2) Ballots which the tabulators cannot read (i.e. ballots damaged or defective or that have been marked in a way that the ballot cannot be processed by a vote tabulator) and Ballots which are marked with overvoted race(s) will be returned to the tabulator operator for inspection.

TESTING OF VOTE TABULATORS

6. (1) Testing of election equipment shall include, but is not limited to, the following:
 - (i) 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.
 - (ii) Testing Memory Cards
This will test every memory card to ensure it is not defective.
 - (iii) 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 and be comprised of samples of blank



ballots, under-voted ballots, over-voted ballots, and properly completed ballots. Audio Ballot process will also be tested.

- (2) Prior to Voting day, the Clerk shall have the vote tabulators tested to ensure that they will accurately count the votes of all candidates, bylaws and questions that are marked with the pen provided and with a valid mark in the designated area.
 - (3) All test results may be audited by an external, independent accounting firm, before Election Day and again within seven days following Election Day. This may include auditing select machines.
 - (4) When testing the vote 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.
 - (5) A dedicated system for the processing and tabulation of votes shall be used.
 - (6) Prior to Voting Day, any “spare” vote tabulators shall be tested along with the other vote tabulators,
7. (1) *Procedure for Testing Ballots:*
Following the programming of the vote tabulator memory cards, the test of ballots shall be conducted as follows:
- (a) Tabulate a pre-audited group of ballots marked with the designated black ballot marking pen in the designated area, including ballots that fall into each of the following categories:
 - (i) Ballots recorded with a pre-determined number of votes for each candidate and for each question or bylaw,
 - (ii) Ballots that have votes in excess of the number allowed by law for each candidate, question or bylaw,
 - (iii) Ballots that have no votes recorded,
 - (b) Assign a varying number of votes to each candidate, question or bylaw.
 - (c) Compare the output of the tabulation with the pre-audited results.
- (2) *Procedure for Testing Audio Ballots:*
Following the programming of the vote tabulator memory cards, the test of audio ballots shall be conducted as follows:



- (a) Tabulate a pre-audited group of ballots marked with the designated black ballot marking pen in the designated area, including ballots that fall into each of the following categories,
 - (i) Ballots on which are recorded a pre-determined number of votes for each candidate and for each question or bylaw,
 - (ii) Ballots that have votes in excess of the number allowed by law for each candidate, question or bylaw,
 - (iii) Ballots that have no votes recorded,
 - (b) Using the headphones and hand device (and any other assistive devices available for use during the election), the votes for all races in the election, including questions, are to be cast according to the pre-audited group of ballots;
 - (c) Assign a varying number of votes to each candidate, question or bylaw.
 - (d) Compare the output of the tabulation with the pre-audited results.
8. *Defective Machine or Card:*
In the event that a vote tabulator or memory card is found to be defective and is to be replaced, the unit/card must be tested before it is placed into operation. The testing is to be repeated until an errorless count is made and certified by the Clerk.
9. *Test Documentation:* The Clerk shall, at the completion of the test, retain the programs, test materials and ballots in the manner provided for in the Act for the keeping of election records. The Clerk shall have access to the pre-audited group of ballots and other materials used in the programming of the vote tabulators.

PROCEDURES - VOTE TABULATOR DATA (Designated Uploading Area)

10. (1) The Clerk shall designate a location for the uploading of the votes from the poll level vote tabulators.
 - (2) The Clerk shall ensure all poll level vote tabulating equipment is returned to the designated uploading area in a secured manner.
 - (3) The Clerk shall ensure that the sealed ballot boxes containing the used ballots are returned to the designated uploading area in a secure manner.
11. (1) The Clerk shall make available at the designated uploading area adequate accommodation for each candidate who intends to view the uploading of the results from the memory cards and who, at least seven clear days before the election, notifies the Clerk in writing of that intention.



- (2) Where notice has been given under Subsection (1), the Clerk shall permit a candidate's scrutineer, in the absence of the candidate, to attend at the designated uploading area to view the tabulation of votes.
 - (3) The accommodation required under Subsection (1) may not be in the same room as the vote tabulators but maybe televised to another room where the accommodation is provided.
12. Proceedings at the designated uploading area are under direction of the Clerk or persons designated by the Clerk and no other person shall interfere in the proceedings in any way.

PROCEDURE AT REGULAR VOTING PLACES

13. (1) When the poll level vote tabulator is to be used in the voting place, the Designated Election Official shall, in the presence of all scrutineers and election officials present, cause the vote tabulator to print a copy of all totals in its memory card before the opening of the voting place confirming zero (0) totals.
- (2) If the totals are zero for all candidates, by-laws or questions, the Designated Election Official shall ensure that the zero printout remains affixed to the vote tabulator until after the close of the vote. All election officials and scrutineers may sign the zero totals report, if they so desire.
 - (3) If the totals are not zero for all candidates, by-laws and questions, the Designated Election Official shall immediately notify the Clerk and shall conduct the vote using the auxiliary back-up compartment of the ballot box until the vote tabulator is made operational or the Clerk provides a back-up tabulator to the Voting location.
 - (4) Procedures under Normal Circumstances:
 - I. The Designated Election Official shall provide an elector with a ballot and a secrecy folder.
 - II. Upon receiving a ballot and secrecy folder, the elector shall:
 - a. Immediately proceed into the voting compartment provided;
 - b. Vote for the candidate(s) of their choice by using the black ballot marking pen provided to mark an "X" or by filling in the box completely ■ to the right of the name of the candidate(s).
 - c. Insert the used ballot into the secrecy folder with the Designated Election Official's initials showing;
 - d. Leave the compartment without delay; and
 - e. Deliver the secrecy folder containing the ballot to the Designated Election Official assigned to the Vote Tabulator



III. The Designated Election Official shall, in the presence of the elector and without removing the used ballot from the secrecy folder, verify that the Election Official appointed as Deputy Returning Officer initials are on the ballot and the voter shall (unless assistance is required) insert the used ballot directly into the vote tabulator until the vote tabulator draws the ballot from the secrecy folder. The ballots will pass through the tabulator and deposit into the ballot box beneath the unit.

IV. The same procedures will be followed on Advance Voting days.

(5) Procedure for Audio Voting:

- I. When an elector requests an audio vote, the Designated Election Official shall:
 - a. When the elector registers with the Poll Clerk, they will be issued a regular ballot. The elector will be instructed to proceed directly to the Vote Tabulator where the Audio Ballot process can begin. The Designated Election Official will mark the blank ballot with "Audio" and place in the Audio Ballot envelope. This process is to track the number of Electors only.
 - b. The Election Official will provide the elector with the appropriate equipment deemed necessary (Sip & Puff, Paddles, or Switch), and will provide them with verbal instructions as to how to operate the equipment.
 - c. To initiate the ballot, the Designated Election Official will contact the security key to the voting machine. The Designated Election Official will select the "start audio" option. From the list of audio ballot codes provided, select the proper ballot for that elector after the command "Enter the Ballot ID and press 'yes'". The code entered will be shown in the display and the Designated Election Official will have the option of verifying the number by pressing the 'yes' option or cancelling the ballot identification number by pressing the 'no' option and re-entering the correct number.
 - d. The audio ballot will start automatically, and once the voter has finished voting, the machine will print a marked ballot directly into a secrecy folder. The voter can review the ballot if they wish. The ballot should then be handled in the same manner for processing through the Vote Tabulator.
 - e. The vote tabulator can continue to scan paper ballots while an audio ballot is in session, and it is not necessary to wait for the audio ballot to be completed before inserting the next paper ballot.



PROCEDURES - EXTRAORDINARY CIRCUMSTANCES

14. In the event the poll level vote tabulator cannot read the ballot:
- (a) If a ballot is returned by the poll level vote tabulator and the voter who delivered the ballot is present, the Designated Election Official will advise the elector of the error message on the display screen (either a blank or over-vote on the ballot) to determine if this was the electors intent, before re-inserting the ballot into the feed area of the vote tabulator
 - (i) If the poll level vote tabulator again rejects the ballot, the Designated Election Official shall mark the ballot “cancelled/replaced”, place the ballot in the cancelled-replaced envelope and deliver another ballot to the voter. The replacement ballot will then be re-inserted into the ballot feed on the vote tabulator once marked by the vote
 - (b) If the elector who delivered the ballot is present but declines to accept another ballot, the Designated Election Official shall mark the ballot “declined” and insert the original into the “declined” envelope.
 - (c) If the elector who delivered the ballot is not present, the Designated Election Official shall re-insert the ballot into the feed area of the vote tabulator.
 - (i) If the poll level vote tabulator again rejects the ballot, the Designated Election Official shall mark the ballot “cancelled”. The Designated Election Official shall, in full view of any candidates or scrutineers present, mark a new ballot with the same marks contained in the designated voting spaces on the original ballot, and the replacement ballot shall be clearly labeled “replacement” and given a serial number which shall be recorded on the cancelled ballot. The cancelled ballot shall be inserted into the “cancelled/replaced” envelop and the Designated Election Official shall substitute the replacement ballot for the cancelled ballot and feed the replacement ballot into the poll level vote tabulator.

PROCEDURES - TABULATOR MALFUNCTION DURING VOTING

15. 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 poll level vote tabulator. If this is necessary, the preferred course of action is to substitute the faulty equipment with a spare unit.

The following steps shall be performed in order to transparently transition to the replacement tabulator and resume the regular voting process.

NOTE: At no time shall an elector be prevented from casting their ballot.

- (a) The Designated Election Official shall remove the memory card from the malfunctioning poll level vote tabulator, and insert the memory card into the replacement unit.
- (b) The Designated Election Official shall pack up the malfunctioning unit and set up the replacement poll level vote tabulator. In an effort to expedite the



replacement, the Election Official who delivered the replacement tabulator may assist in packing up the malfunctioning unit.

- (c) The Designated Election Official shall turn on the replacement poll level vote 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 Designated Election Official shall then sign the re-start tape and leave the tape attached to the poll level vote tabulator. The existing ballot box continues to be used to accept ballots that are to be fed through the replacement tabulator until close of polls.

PROCEDURES - MEMORY CARD MALFUNCTION

16. In the event the memory card malfunctions, the Designated Election Official shall notify the City Clerk's Office immediately. Once a replacement memory card has been provided, the Designated Election Official shall:
 - (a) Verify that the vote tabulator and replacement memory card are operational, seal the ballot box containing any ballots that were previously processed or inserted into the auxiliary 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 until the close of polls.
 - (c) The Designated Election Official shall turn on the poll level vote tabulator and proceed to print, verify and sign the zero totals report, as was done prior to the opening of the poll.
 - (d) The ballots in the original ballot box will be fed through the poll level vote tabulator after the close of the poll.

PROCEDURES - CLOSING ADVANCE VOTING PLACES

17. The Designated Election Official shall, after the close of the first day of advance voting, check the auxiliary compartment for ballots to ensure all ballots have been processed. All ballots removed from the auxiliary compartment of the ballot box shall be processed through the voting machine. The Designated Election Official shall immediately:
 - (a) Look at the display on the vote tabulator and write down the number of ballots processed through the unit on the supplied tracking sheet;
 - (b) Unplug the vote tabulator, seal the ballot box and the ballot feed slot in the vote tabulator, and prepare the equipment and supplies for transportation (if a secured area is not available on-site). Candidates or scrutineers may, if present place their seal on the equipment and ballot box; and



- (c) Personally (or by another Election Official as designated by the Clerk) deliver the vote tabulator and other election supplies to the Clerk or Designated Election Official.
18. On all subsequent Advance Voting days, the vote tabulator and other election supplies shall be brought to the advance polling place (or obtained from the secured on-site storage area). The vote tabulator shall be plugged in and the number of ballots cast on the display shall be verified with the number of ballots cast from the previous day's count. The seals are to be removed on the ballot box and the vote tabulator, and voting is to resume.
- (i) The Designated Election Official shall follow steps 17 (a), (b), and (c)
19. At the close of the final Advance Voting day, the Designated Election Officials shall:
- (i) Check the auxiliary compartment of the ballot box for ballots to ensure all ballots have been processed;
- (ii) Any ballots removed from the auxiliary compartment of the ballot box shall be processed through the voting machine. Where there are marks on the ballot in the designated voting space(s) but the vote tabulator cannot process the ballot, the Election Official shall:
- (a) Mark the ballot "cancelled/replaced"
- (b) Prepare a replacement ballot in full view of any candidates or scrutineers present by marking a new ballot with the same marks made on the original ballot, and the replacement ballot shall be clearly labeled "replacement" and given a serial number which shall also be recorded on the cancelled/ replaced ballot;
- (c) Substitute the replacement ballot for the cancelled/replaced ballot and feed the replacement ballot into the vote tabulator.
- (d) Place the cancelled-replaced ballot in the appropriate envelope.
- (iii) 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;
- (iv) Secure the vote tabulator against receiving any more ballots;
- (v) Sign the certificate portion of the printed record along with any scrutineers or candidates who are present and wish to sign;
- (vi) Turn off the poll level vote tabulator;



- (vii) Seal the ballot box to ensure the box cannot be reopened without breaking the seal and to cover the ballot slot;
- (ix) The Designated Election Official shall deliver the vote tabulator with memory card intact, all ballot boxes, and all other material to the location designated by the Clerk.

20. Advance Voting Results

- (i) The total of the votes cast at the advance vote shall not be made available until after 8 p.m. on Voting day.
- (ii) For this purpose, the Designated Election Official from the Advance Polls shall attend at the location designated by the Clerk to complete the voting place final statement and provide the results to candidates or scrutineers present.
- (iii) The same procedure for “Closing the Voting Place on Voting day” shall be followed.

PROCEDURE - CLOSING OF VOTING PLACE ON VOTING DAY

21. (i) The Designated Election Official shall, after the close of the voting, check the auxiliary compartment of the ballot box for ballots to ensure all ballots have been processed;
- (ii) Any ballots removed from the auxiliary compartment of the ballot box shall be processed through the voting machine. Where there are marks on the ballot in the designated voting space(s) but the vote tabulator cannot process the ballot, the Election Official shall:
- (a) mark the ballot “cancelled/replaced”
 - (b) prepare a replacement ballot in full view of any candidates or scrutineers present by marking a new ballot with the same marks made on the original ballot, and 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/replaced ballot and feed the replacement ballot into the vote tabulator.
 - (c) Place the cancelled/replaced ballot in the appropriate envelope.
- (iii) 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;



- (iv) Secure the vote tabulator against receiving any more ballots by invoking the "Close Poll" procedure for the tabulator;
- (v) Obtain a printed record of vote results given for each candidate and, if applicable, the votes given for and against a by-law or question;
- (vi) The Designated Election Official will sign the certificate portion of the printed record.
- (vii) Remove the Zero Totals Report and attached printed record of vote results from the vote tabulator and place them in the statement envelope;
- (viii) Turn off the vote tabulator;
- (ix) Seal the ballot box to ensure the box cannot be reopened without breaking the seal and to cover the ballot slot;
- (x) The Designated Election Official shall deliver the transfer carrying case, all ballot boxes, voting compartments, the vote tabulator with memory card intact and the return envelope to the designated uploading location.
- (xi) If a vote tabulator has been used to tabulate votes cast in a voting place 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 Designated Election Official 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 be deposited in it without breaking the seal;
 - (b) Secure the vote tabulator against receiving any more ballots;
 - (c) Personally (or by another Election Official as designated by the Clerk) deliver the ballot box, all supplies, and vote tabulator to a place designated by the Clerk where a back-up vote tabulator is located;
 - (d) Follow the procedures set out in retesting of vote tabulators section to ensure that the totals of the back-up vote tabulator are zero for all candidates, by-laws and questions;
 - (e) Insert all the ballots from the ballot box into the back-up vote tabulator, and;
 - (f) Follow the procedures for "Closing of Voting Place on Voting Day".



22. (1) Immediately after the close of voting and in the presence and full view of the persons entitled to be present, the Designated Election Official shall, with the assistance of the duly appointed election officials:
- (a) Place all the cancelled, declined and unused ballots in separate envelopes and;
 - (b) Count the number of electors whose names appear on the voting list or on the list maintained by a duly appointed election official who have voted, and any additions to the voters lists processed and record this number in the space provided on the Statement of the Designated Election Official.
- (2) The Designated Election Official shall:
- (a) Seal the ballot box against receiving additional ballots;
 - (b) Complete a statement in duplicate of the number of:
 - (i) Ballots received from the Clerk
 - (ii) Electors who voted,
 - (iii) Unused ballots,
 - (iv) Cancelled ballots,
 - (v) Declined ballots and
 - (vi) Sign and obtain the signature of the Poll Clerk;
 - (c) Place the original copy of the statement in the statement envelope;
 - (d) Attach the duplicate copy of the statement to a copy of the Voter's List;
 - (e) Seal all envelopes;
 - (f) Place all supplies, excluding the statement envelope and the sealed ballot box, in the election material bag(s) provided by the City Clerk and seal it as required by the Act;
 - (g) Personally deliver the poll level vote tabulator, the sealed ballot box(es), the sealed election material bag(s) and the statement envelope to City Hall, 100 Wellington Square, Brantford, Ontario.
23. If, at the close of the voting, the 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.



24. 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.
25. (i) The Clerk shall retain and may have access to the pre-audited group of ballots and other materials used in the programming of vote tabulators; and
(ii) The Clerk shall not alter or make changes to the materials.

PROCEDURES – EARLY OPENING and CLOSING VOTING LOCATIONS UNDER SECTION 46(2) & 46(3) OF THE ACT

26. The following procedures shall be followed for the early opening and closing of voting places under sections 46(2) and 46(3) of the Act:
 - (i) One set of voting results will be produced for each Ward in which Institutions/ Retirement Homes are located. This may be a cumulative of 2 or more locations from within one Ward.
 - (ii) At the opening of the first polling location for each ward, the same procedures shall be followed as for the opening of voting place as set out in “Procedures at the Voting Place”.
 - (iii) The Designated Election Official shall, after the close of the first poll or poll split, check the auxiliary compartment for ballots to ensure all ballots have been processed.
 - (iv) Any ballots removed from the auxiliary compartment of the ballot box shall be processed through the voting machine. Where there are marks on the ballot in the designated voting space(s) but the vote tabulator cannot process the ballot, the Election Official shall:
 - (a) Mark the ballot “cancelled/replaced”
 - (b) Prepare a replacement ballot in full view of any candidates or scrutineers present by marking a new ballot with the same marks made on the original ballot, and the replacement ballot shall be clearly labeled “replacement” and given a serial number which shall also be recorded on the cancelled/ replaced ballot;
 - (c) Substitute the replacement ballot for the cancelled/replaced ballot and feed the replacement ballot into the vote tabulator.
 - (d) Place the cancelled/replaced ballot in the appropriate envelope.
 - (v) Look at the display on the poll level vote tabulator and write down the number of ballots processed through the unit;



- (vi) Unplug the poll level vote tabulator, seal the ballot box and the ballot feed slot in the poll level vote tabulator, and place it in the carrying case provided. Candidates or scrutineers may, if present place their seal on the equipment and ballot box; and
- (vii) Relocate the voting machine and all election materials to the next institution/retirement home in that ward. The poll level vote tabulator shall be plugged in and the votes cast on the display shall be verified with the vote cast from the previous poll's count. The seals are to be removed on the ballot box and the poll level vote tabulator, and voting is to resume.
- (viii) This process is to be repeated at each Institution/Retirement Home location in that ward.

INSTITUTION / RETIREMENT HOME VOTING RESULTS

- 27. (i) The total of the votes from the Ward Institution/ Retirement Home location shall not be made available until after 8 p.m. on Voting day.
- (ii) For this purpose, the Designated Election Official shall attend at the location designated by the Clerk to complete the voting place final statement and provide the results to candidates or scrutineers present.
- (iii) The same procedure for "Closing the Voting Place on Advance Voting day" shall be followed.

PROCEDURES – PROGRAMMING ONLINE VOTING SYSTEM

- 28. The online voting system shall be programmed so that a printed record of the number of votes cast for each candidate or answers to any by-laws or question can be produced
- 29. **SYSTEM INTEGRITY**
The integrity of the voting process shall be the responsibility of the Clerk and shall be preserved by:
 - a) ensuring that every eligible elector on the Voters' List, as amended, is sent a sealed Voter Information Notice containing the voter's unique Elector ID;
 - b) ensuring that no one except the Clerk, and/or designate, can access Elector ID, PINs and passwords maintained by system provider that match each voter's name and address
- 30. **SYSTEM TEST**
The Designated Election Official, appointed by the Clerk, shall test the voting system on several occasions. The test(s) shall include, but not be limited to the following:
 - a. checking the Help Centre telephones and internet access;
 - b. checking the design and race detail information for accuracy;



- c. attempting to use a Elector ID more than once;
- d. balancing a predetermined number of votes with those cast (test sequence);
- e. matching Elector ID to names and addresses;
- f. checking the online system which is used for activating and deactivating

PROCEDURES - ONLINE VOTING BALLOT PROCESS

31. Each elector shall be provided a secure and unique Elector ID on their personally addressed Voter Information Notice. This notice will contain the instructions of where to vote (polling station etc) as well as instruction on how to register to vote using the Online Poll.
- a) The elector choosing to cast their Ballot online, shall log into the designated website associated with the City of Brantford online voting system. Once logged into the site, the elector shall select a security question after answering elector specific details.
 - b) The elector will then receive an email to the registered address with secondary log in instructions. The elector will be prompted to continue and will be presented with a screen requesting they confirm the registration details. Once the elector has confirmed and submitted the registration they will be emailed a secure link used to retrieve their Elector ID and can proceed to cast their Online Ballot.
 - I. Electors will be given an opportunity to review their votes for each race, bylaw or question prior to casting their official ballot
 - II. Once electors cast their official Ballot, the PIN and Elector ID can no longer be used and the elector is marked as Voted on the Voters List
 - III. The elector cannot print a confirmed casted ballot with choices in race, bylaw or questions included on it

PROCEDURES – ONLINE VOTING SYSTEM MALFUNCTION DURING VOTING

32. In the event that the online system malfunctions during the voting process the vendor shall notify the Clerk immediately. The Clerk and Designated Election Officials shall make every endeavor to notify electors of the outage and the anticipated return of the system. The system will be re-tested once restored.

A report can be generated with ballot print outs for all the votes casted on the system if necessary; only by the Clerk

ONLINE VOTING RESULTS

33. (i) The total of the votes from the Online Voting system shall not be made available until after 8 p.m. on Voting day.
- (ii) For this purpose, the Designated Election Official as designated by the Clerk shall complete the final statement and provide the results to candidates or



scrutineers present.

REVISION CENTRE

34. The Voters' List shall be available to Election Officials at the Revision Centre in electronic format to accommodate the voting process.
- I. The Revision/Help Centre shall be established at 100 Wellington Square
 - II. The Revision Centre shall be responsible for the following:
 - a. Eligible voters who attend at the Revision Centre 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 and providing proof of identity and residence as prescribed in *O. Reg. 304/13*. Their names will be added to the Voters' List and they will be assigned and delivered a Voter Information Letter containing a Elector ID; however, for additions to the Voter List made after the initial printing of the Voter Information Notice a letter containing a Elector ID will be provided to the individual directly from the Revision Centre.
 - b. New PIN(s) / Elector ID shall not be given out over the telephone. The voter must attend the Revision Centre with proof of identify and residence as prescribed in *O. Reg. 304/13* and complete the appropriate form.
 - c. Eligible voters who attend at the Revision Centre will be able to request a "replacement" Voter Information Notice and PIN under certain circumstances:
 - i. where a person on the Voters' List has lost/not received his or her Voter Information Notice and the Elector ID has not been used, he or she can attend the Revision Centre and prove to the satisfaction of the authorized Election Official that they require a new Elector ID. The authorized Election Official will disable the elector's assigned Elector ID and electronically mark it in the system as having been lost/not received. Upon providing proof of identity and residence as prescribed in *O. Reg. 304/13* to an Election Official, an oath on "Application for Re-Issue of a Voter Information Notice (Lost and Unused)" Form shall be taken by the elector and a new Voter Information Notice containing a new Elector ID shall be issued.



- ii. where a person on the Voters' List has attempted to vote and their Elector ID has already been used, he or she can attend the Revision Centre and prove to the satisfaction of the authorized Election Official that they did not vote using the Elector ID and require a new Elector ID. Upon providing proof of identity and residence as prescribed in O. Reg. 304/13 to an Election Official, an "Application for Re-Issue of a Voter Information Notice (Used by an Impersonator)" Form shall be taken by the elector and a new Voter Information Letter containing a new Elector ID shall be issued.

PROCEDURES - RECOUNT

35. If a recount of votes is held, the votes shall be recounted in the same manner as the votes were counted on Voting Day pursuant to Section 60(1) (subject to subsection 3) of the Municipal Elections Act, 1996.
36. (1) All poll level vote tabulators to be used in the recount shall be tested before the recount in the manner described in Section 5 or 6.
 - (2) The City Clerk shall attend the recount and bring the used ballots, vote tabulators, statement envelopes and all documents that, in the opinion of the Clerk, are relevant to the recount.
 - (4) If a poll level vote tabulator is used for a recount, the recount is limited to the ballots tabulated by the poll level vote tabulator on Voting day.
 - (5) The online system voting results are limited to the ballots cast for the races to which the recount is required
36. The result of a recount using the poll level vote tabulator system is final and no further recount shall take place

CANDIDATES/SCRUTINEERS

38. (i) Candidates may appoint scrutineers in writing to represent them at the voting place.
 - (ii) Scrutineers shall show their written appointment to the Designated Election Official upon request.
 - (iii) During the fifteen minutes prior to the opening of the voting location, the scrutineers who are entitled to be present in the 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 as to delay the timely opening of the voting location.



- (iv) Only one scrutineer for each certified candidate for each ballot box at the voting location may be present within the voting location at any time. If the candidate enters the voting location, the scrutineer shall leave.
- (v) To protect the secrecy of the vote, candidates or scrutineers will not be able to examine ballots or to object to ballots as ballots are being fed into the poll level vote tabulator by the Designated Election Official.

Dated this 15th day of December, 2017



Lori Wolfe
City Clerk, City of Brantford



Location: _____

Polling Supervisor:

a) **Weekday:** _____

b) **Saturday:** _____

VOTE TABULATOR VERIFICATION ADVANCE POLL

	Tuesday (October 9 th)	Wednesday (October 10 th)	Thursday (October 11 th)	Friday (October 12 th)	Saturday (October 13 th)
Start of Day					
End of Day					

VT _____ _____ _____ _____ _____

PS _____ _____ _____ _____ _____

Instructions: Enter ballot count at the start and end of the day. Vote Tabulator and Polling Supervisor to initial at days end.

AFFIX TO TABULATOR



WITNESS STATEMENTS AS TO DESTRUCTION OF BALLOTS

Municipal Elections Act, 1996 (s. 88(2))

_____ in the County Brant
(Name of Municipality)

FIRST WITNESS

I _____ state that I was present upon _____ and did witness
(Name of Witness) (Date)

_____ of the above stated Municipality destroy all ballots used in the Municipal
(Name of Clerk)

election held on October 22nd, 2018 for the election of persons to the offices listed below.

(Signature of Witness)

SECOND WITNESS

I _____ state that I was present upon _____ and did witness
(Name of Witness) (Date)

_____ of the above stated Municipality destroy all ballots used in the Municipal
(Name of Clerk)

election held on October 22nd, 2018 for the election of persons to the offices listed below.

(Signature of Witness)

LIST OF OFFICES FOR WHICH BALLOTS WERE DESTROYED:

CATEGORY OF DOCUMENTS AND OTHER MATERIALS DESTROYED:

The Clerk shall retain the ballots and all other documents and materials related to an election for 120 days after declaring the results of the election under Section 55 and, unless there is a court order that they be retained or a recount has been commenced and not finally disposed of, shall then destroy the ballots in the presence of two witnesses (s.88). At the time of destroying the ballots pursuant to Section 88, other documents and other materials related to the Election (with exception of documents filed under Section 78 and 79.1 may also be destroyed.



EL 46

Ward	Poll

**STATEMENT OF
 POLL SUPERVISOR/DRO
 - BALLOTS ACCOUNT**
Municipal Elections Act, 1996 (s. 65(1))

Location:	DRO Name:

Ballots Received from the Clerk or Designate		
A) Total Ballots Received EP,ES,FP,FS,NS Totals		Total (All Ballot Types):
Ballot Count by DRO		
B) Number of electors who voted (Use tally sheet)		
C) Number of Unused Ballots (placed in envelope "C")		
D) Number of Ballots Cancelled (placed in envelope "A")		
E) Number of Ballots Declined (placed in envelope "B")		
Total Ballot Count [Total of (B) + (C) +(D) + (E)] (MUST BE THE SAME TOTAL OF BALLOTS RECEIVED (A))		

THE SECTION BELOW MUST BE COMPLETED BY ALL ELECTION OFFICIALS AFTER THE CLOSE OF ADVANCE POLLS AT 6:00PM OR CLOSE OF ELECTION DAY POLLS 8:00 P.M

We certify from our personal knowledge and tabulations that the number of ballots and information herein is correct.

Poll Supervisor's Signature	
Poll Supervisor's Address	
DRO'S Signature	
DRO'S Address	



CERTIFICATE AND RECEIPT FOR BALLOTS

Municipal Elections Act, 1996 (s.41(1))

Ward No. (if applicable)		Voting Subdivision No. (if applicable)
Municipality:		
List of Ballots by type and quantity		
BALLOT TYPE	QUANTITY (as delivered by Clerk)	CORRECTED QUANTITY (as verified by DRO)

I, the undersigned Clerk (or designated election official) of this Municipality, do hereby declare that I have supplied to the Deputy Returning Officer of the said voting subdivision, the types and quantities of ballots as listed above.

Municipal Clerk or designate

I, the undersigned Deputy Returning Officer for the said voting subdivision, do hereby declare that I received from the Clerk of this municipality, the types and quantities of ballots as delivered to me or, if different, as verified by me.

Deputy Returning Officer

COMPOSITE BALLOTS COUNT AS ONE TYPE. SINGLE BALLOTS COUNT AS ONE TYPE AND COULD BE DIFFERENTIATED BY THE OFFICE FOR WHICH THEY ARE PREPARED. THE QUANTITY (OR CORRECTED QUANTITY) IS THE TOTAL TO WHICH BALLOT ACCOUNTS ON VOTING DAY WILL BE MADE. THIS FORM SHOULD BE PREPARED IN DUPLICATE WITH THE CLERK RETAINING THE ORIGINAL AND THE DRO'S COPY PLACED IN THE BALLOT BOX AT THE END OF THE COTE COUNT AND RETURNED WITH OTHER MATERIALS TO THE CLERK.



**APPLICATION FOR RE-ISSUE OF A VOTER'S INFORMATION LETTER
(USED BY AN IMPERSONATOR)**

Surname:		Given Name(s):	
Qualifying Address (Street No. & Name):	City:	Postal Code:	
Mailing Address (if different):			
Telephone Number:		Roll Number:	

I, _____, being the above named individual and having provided proof of identity and residence as prescribed in O. Reg. 304/13 to the Election Official, do hereby make the following declaration AND provide the required information to the Election Official:

1. That I am an eligible elector for the municipality and that I am on the Voter's List or have made an application to be included on the Voter's List;
2. That I have not received by mail a Voter Information Letter from the municipality and an imposter has voted

OR (check applicable box)

That I have lost or misplaced the Voter Information Letter provided by the municipality and unable to locate the said Voter Information Letter for the purpose of voting by telephone and that an imposter has voted.

OR (check applicable box)

That I have received the Voter information Letter provided by the municipality that an imposter has voted.

3. That I have not voted or have not personally used the Voter Information Letter to vote, nor have I provided and given my Voter Information Letter to another person for the purpose of voting.
4. That I have no knowledge, direct or indirect, as to who has used my Voter Information Letter to vote in my name.

OR (check applicable box)

I have personal knowledge of who has used my Voter Information Letter to vote and I have provided such information to the Election Official for the purpose of providing the same to the Police for further investigation and prosecution.

5. That I have answered all the questions of the Election Official truthfully and to the best of my knowledge and further understand that the Police may be communicating with me for the purpose of furthering this investigation and prosecution of the imposter(s) of corrupt election practices or mail tampering or fraud.
6. That should a new Voter Information Letter be issued by an Election Official that, as a condition to re-issuance, that I will be required to vote only at the Help Centre in the municipality.
7. That I further agree that should I obtain additional information as to who has voted on my behalf that I will communicate such information with the Election Official and the Police.

I, _____, solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act* dated this ____ day of _____, 2018 and do hereby accept the terms and conditions of this application.

I, _____, further acknowledge that any false statement made is an offence either under the *Municipal Elections Act* and/or an infraction under the Criminal Code of Canada and subject to penalties and/or a term of imprisonment.

Signature of Applicant

Signature of Election Official
(Witness as to the Signature of the Applicant)

PROCEDURES OF ELECTION OFFICIAL

1. Verification that the Voter Personal Identification Number (PIN) has been used.
2. Issuance of Voter Information Letter and NEW Personal Identification Number (PIN).
3. Activation of Personal Identification Number (PIN).

(Signature of Election Official)

SIGNATURE OF ACKNOWLEDGEMENT BY APPLICANT

I, the above named individual, hereby acknowledge receipt of a NEW Voter Information Letter provided by the Election Official and agree that I will vote immediately at the Help Centre and further understand that should I leave the Help Centre WITHOUT VOTING that the Voter Information Letter received will be deactivated and that I will not be further entitled to vote.

Signature of Applicant

Date

I, the above named Election Official, do hereby acknowledge that I have provided a NEW Voter Information Letter to the applicant and have followed the procedure identified above.

Signature of Election Official

Date

**FOR USE BY THE ELECTION OFFICIAL
VOTER LEAVES THE HELP CENTRE**

1. Voter has left the Help Centre after voting:

Verify if Personal Identification Number (PIN) has been used to confirm that the elector has voted. If the PIN has not been used, the following must be completed:

Deactivate Voter Personal Identification Number immediately

SIGNATURE OF ELECTION OFFICIAL THAT VOTER HAS LEFT THE HELP CENTRE WITHOUT VOTING

Signature

Date/Time



APPLICATION FOR RE-ISSUE OF A VOTER INFORMATION LETTER
(LOST AND UNUSED)

Surname:		Given Name(s):	
Qualifying Address (Street No. & Name):		City:	Postal Code:
Mailing Address (if different):			
Telephone Number:		Roll Number:	
<p>I, _____, being the above named individual and having provided proof of identity and residence as prescribed in O. Reg. 304/13, to the Election Official do hereby make the following declaration:</p> <ol style="list-style-type: none"> That I am an eligible elector for the municipality and that I am on the Voter's List or have made an application to be included on the Voter's List; <input type="checkbox"/> That I have not received by mail a Voter Information Letter from the municipality, <p style="text-align: center;">OR (check appropriate)</p> <ol style="list-style-type: none"> <input type="checkbox"/> That I have lost or misplaced the Voter Information Letter provided by the municipality and that I am unable to locate the said Voter Information letter for the purpose of voting by telephone/internet That I understand that should the Voter Information Letter be received by mail or found, the letter shall be immediately returned to an Election Official of the municipality and that I shall not attempt to use or give to someone else for voting purposes. <p>I, _____, solemnly declare that all the statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act dated this ____ of _____, 2018. I further understand that making a false statement is an offense under the Municipal Elections Act, 1996 and that I will be subject to prosecution.</p> <p>_____ Signature of Applicant</p> <p>_____ Signature of Election Official</p>			

FOR USE BY ELECTION OFFICIAL ONLY	
PROCEDURAL POLICY FOR RE-ISSUANCE	
Verification of de-activation of Voter Personal Identification Number	_____ (signature of Election Official)
Activation of new Voter Personal Identification Number (PIN)	_____ (signature of Election Official)

SIGNATURE OF ACKNOWLEDGEMENT

I, the above named individual, hereby acknowledge receipt of a NEW Voter Information Letter provided by the Election Official.

Signature of Applicant

Date

I, the above named Election Official, do hereby acknowledge that I have provided a NEW Voter Information Letter to the applicant and have followed the procedures identified above.

Signature of Election Official

Date



STATUTORY PROVISIONS REGULATING VOTING PROCEDURES

Municipal Elections Act, 1996 (s.48, 49)

Prohibition	48 (1) While an elector is in a voting place, no person shall attempt, directly or indirectly, to influence how the elector votes.
No Election campaign material	(2) Without limiting the generality of subsection (1), no person shall display a candidate's election campaign material or literature in a voting place.
Secrecy	49 (1) Every person who is present in a voting place or at the counting of the votes shall help to maintain the secrecy of the voting.
Offences	(2) No person shall, a) interfere or attempt to interfere with an elector who is marking the ballot; b) obtain or attempt to obtain, at a voting place, information about how an elector has voted; or c) communicate any information obtained at a voting place about how an elector intends to vote or has voted.
Same	(3) No elector shall show his or her marked ballot to any person so as to reveal how he or she has voted, except in connection with obtaining assistance in voting under paragraph 4 of subsection 52(1)
No requirement disclosure	(4) No person shall, in a legal proceeding relating to an election, be required to disclose how he or she voted at the election