



MUNICIPALITY OF SOUTHWOLD TOWNSHIP

**MUNICIPAL ELECTION
OCTOBER 24, 2022**

PROCEDURES FOR ALTERNATIVE VOTING METHOD - VOTE BY MAIL

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PART I - INTRODUCTION

The 2022 Municipal Election will be held on Monday October 24, 2022 and, pursuant to the Township of Southwold's By-law No. 2021-40, will be conducted using the Vote by Mail process as an alternative voting method for the 2022 Municipal Election. The *Municipal Elections Act, 1996* provides that when a by-law authorizing the use of an alternative voting method is in effect, Section 43 (advance votes) and Section 44 (voting proxies) apply only if the by-law so specifies. Pursuant to the By-law, Council has authorized the elimination of advance voting and proxy voting other than Ballot Return Stations.

Section 42(3) of the *Act* requires that the Clerk establish procedures and forms for the use of any alternative voting method; and that a copy of such procedures and forms be provided to each candidate. The purpose of this document is to establish procedures for the use of the Vote by Mail method that are consistent with the principles of the *Municipal Elections Act, 1996*. It is noted that the Clerk, in the role of Returning Officer, may need to vary from these prescribed rules, or develop additional ones, from time to time if necessary.

This alternative voting method is used to ensure that every eligible voter has an opportunity to exercise his/her right to vote. It is anticipated that designated Election Officials, candidates, voters and all other stakeholders will work together to ensure the integrity of the system.

The Clerk may at any time, up to and including Voting Day, amend the procedures contained herein. A copy of any amendment will be forwarded to each candidate.

With respect to matters of policy and procedures for alternative voting methods, the Clerk's decision is final.

Information and Notice of Election will be updated and posted on the Public Notice Election Board located at the Municipal Office and on the Municipal Website.

Questions regarding these procedures are welcome. Please contact the Municipal Clerk during regular office hours or call 519-769-2010, if you have any comments or questions.

PART II - KEY DATES FOR 2022 MUNICIPAL ELECTION

ITEM	MEA Reference	Date or Time Period
Nomination & Campaign Period Begins	(S. 31, S.33 (4))	May 2 nd - August 19 th , 2022
Voter's List Produced	(S.23(2)(a)) (s.65(4))	On or before September 1 st , 2022
Nomination Day	(S.31, 33(4))	August 19 th , 2022 (9 am to 2pm)
Certification of Nominations	(S.35(1.1))	August 22 nd , 2022 (before 4pm)
Revision Period for Voter's List	(S.24)	September 1 st , 2022 to October 24 th , 2022
Reproduction of Voter's List	(S. 23(2))	September 6 th , 2022
Ballot packages mailed to Electors	Not Applicable	Week of September 26 th , 2022
Election Day	(S. 5)	October 24 th , 2022
Official Declaration of Votes	(S.55 (4))	October 25 th , 2022 ("As soon as possible after voting day")
Council Term Begins	S. 6(1)	November 15 th , 2022
Inaugural Council Meeting	M.A.	December 5 th , 2022
Campaign Period Ends	(S.68)	January 3 rd , 2023
Financial filing Deadline	(S. 77)	Last Friday in March (March 31 st , 2023)

Guaranteed date for mail return

(TBD)

PART III - DEFINITIONS

"ASSISTANT RETURNING OFFICER" shall be a person appointed by oath with the responsibility for ensuring that the election is conducted fairly in accordance with legislative requirements and established procedures.

"BALLOT BOX" shall mean a sealed box secured at the Municipal Administration Office, in which ballots are kept in advance of the close of polls.

"BALLOT RETURN STATION" shall mean a voting place under the general supervision of a designated Election Official where electors, who prefer to deliver or have delivered their completed ballots, may deposit their ballots directly into the care of the Clerk or designated Election Official rather than forwarding their ballots by mail.

"CLERK" shall mean the Clerk of The Corporation of the Township of Southwold.

"CLOSE OF VOTING" shall be 8:00 p.m. Eastern Standard Time on Election Day.

"CONTINUOUS DROP BOX LOCATION" shall be the Municipal Administration Office located at 35663 Fingal Line, Fingal, Ontario. A drop box shall be available for the drop off of Return Envelopes during regular office hours starting on the day that Voting Kits are mailed to voters through to and including Election Day. The drop box will be available for usage during regular office hours during this period, except on Election Day, when the office will be open from 8:00 a.m. through to the Close of Voting. The after hours drop box shall be available for the drop off of Return Envelopes anytime, 24 hours a day, 7 days a week until Election Day at 8:00 p.m.

"COUNCIL" shall mean the Council of The Corporation of the Township of Southwold.

"COUNTING LOCATION" shall mean the Municipal Administration Office located at 35663 Fingal Line, Fingal and/or any other location that the Clerk deems appropriate.

"DEPUTY RETURNING OFFICER" shall be a person appointed by oath to act in place of the Clerk in respect of administering oaths, revision of the voters' list, ensuring

security, updating the voters' list, carrying out the counting of votes in a ballot box and other duties as may be delegated by the Returning Officer.

"DROP BOX" shall be a box in which Return Envelopes and Secrecy Envelopes are placed by persons delivering their ballots in person to either the Continuous Drop Box Location or Ballot Return Station.

"ELECTION DAY" shall be Monday, October 24th, 2022.

"ELECTION OFFICIAL" shall be a person, appointed by the Clerk, with responsibility to assist in the administration of the election process and for ensuring that the election is conducted fairly in accordance with legislative requirements and established procedures.

"GUARANTEED DATE FOR MAIL RETURN" shall be the date that Canada Post guarantees the return of voting packages deposited in Mail Boxes anywhere in Canada. This date is yet to be determined.

"MUNICIPAL OFFICE", unless otherwise specified, shall mean the Township of Southwold Municipal Administration Office located at 35663 Fingal Line, Fingal.

"REPLACEMENT VOTING KIT" shall mean a set of documents which consists of: a Voting Declaration and Instruction Form, a Ballot(s), an Inner Ballot Secrecy Envelope, an outer Return Envelope with prepaid postage, and such other necessary material as the Clerk or designated Election Official determines. The declaration form shall bear the initials of the Returning Officer, Election Official or the Assistant Returning Officer.

"RETURN ENVELOPE" shall be a prepaid postage envelope addressed to the Municipal Office that is either returned by mail to the Municipal Office or is dropped off at the Continuous Drop Box Location or other Ballot Return Station. Each Return Envelope should contain both a Voter Declaration Form and an Inner Ballot Secrecy Envelope containing one (1) ballot.

"RETURNING OFFICER" shall be the Clerk of The Corporation of the Township of Southwold with responsibility for ensuring that the election is conducted fairly in accordance with legislative requirements and established procedures. As Returning Officer, the Clerk is empowered by legislation to conduct the election and may provide for any matter that is not otherwise provided for in an Act or regulation and is, in the Clerk's opinion, necessary or desirable for conducting the election.

"REVISION OFFICE" shall be the Municipal Office whereby electors may make changes to information contained in the voter's list, as described in these procedures.

"VALID MARK" shall mean a mark within the space designated for the marking of the ballot to the right of the name of each candidate and it is "clearly evident that the intent of the voter was to cast a vote".

"VENDOR" shall mean the vendor authorized by Council to provide the Vote by Mail Services for the Municipal Election. For the purpose of the 2022 Municipal Elections, the Vendor will be DataFix.

"VOTE BY MAIL" shall apply to all voting in the 2022 Municipal Election in the Township of Southwold.

"VOTING DAY" shall mean October 24th, 2022.

"VOTER DECLARATION FORM" shall be a slip upon which the qualifying address of the voter is indicated as well as a space for the voter's signature and name. This documentation signifies the voter's declaration that he/she is the person eligible to vote in the election, and this declaration must accompany every ballot submitted.

"VOTERS' LIST" shall be a list showing all eligible electors within the Municipality of Southwold, as provided by the Municipal Property Assessment Corporation (MPAC) and revised by the Returning Officer or Assistant Returning Officer or Election Official pursuant to the provisions of the *Municipal Elections Act, 1996*.

"VOTING KIT" shall consist of a Voter Declaration and Instruction Form, a Ballot(s), an Inner Ballot Secrecy Envelope, an outer Return Envelope with prepaid postage, and such other necessary material as the Municipal Clerk determines.

PART IV - ALTERNATIVE VOTING PROCEDURES - VOTE BY MAIL OVERVIEW

The Township of Southwold will again be utilizing an alternative method of voting - VOTE BY MAIL - for the 2022 Municipal Election being held on Monday October 24th, 2022.

Voters will receive a Voting Kit in the mail on or about the last week of September. The Voting Kit will contain all of the materials required to place their vote by mail. The voter

simply follows the instructions in their kit, deposits their ballot in the mail using the postage paid response envelope, and Canada Post will deliver the ballots to the Municipal Office for tabulating by Election Day.

Electors who apply to revise the Voter's List before September 1st, 2022, will receive their Voting Kit by mail. The Voting Kit will contain a voting instruction sheet and Voter Declaration Form; a ballot; a ballot secrecy envelope; a 'Voter Declaration Form'; and a postage prepaid return envelope in which to return the required materials to the Returning Officer.

Electors who do not receive their personal Voting Kit, or who receive a Voting Kit with incorrect information, must have their own information revised on the Voter's List in order to receive their own Voting Kit. After September 1st, electors who revise their own information on the Voter's List will be issued their Replacement Voting Kit at the time that they submit such revision. Any person who receives a Voting Kit addressed to another person should contact the Municipal Office to receive further information as **it is against the law to exercise a vote other than your OWN vote.**

Return Envelopes will be received daily by mail and also by drop-off at the Municipal Office. Designated Election Officials will remove the secrecy envelope from the return envelope, and update the Voter's Lists to show that the voter identified on the Voter Declaration Form has cast a ballot. The secrecy envelope will then be secured in a ballot box.

Should voters be unable, or choose not to mail their vote, a ballot return station at the Municipal Office will protect their right to vote by allowing them to deliver their ballots in person right up to the close of elections.

Ballot Return Station Location

Drop-off Times

Township Administration Office
35663 Fingal Line, Fingal

In the after hours drop box anytime,
24 hours a day, 7 days a week,
until October 24th (Election Day)
at 8:00 p.m.

Assistance will be available at the Municipal Office. Please drop in during regular office hours or call 519-769-2010 if you have any questions.

PART V - ELECTION PROCEDURES

Procedures and forms have been developed for this alternative voting procedure, as required by s.42(3)(a), and will be revised as necessary.

1. ELECTION OFFICIALS

1.1 The Municipal Clerk is responsible for conducting the Municipal Election, establishing the procedures and rules and interpreting the procedures and rules except as varied by a Court.

1.2 The Clerk may appoint, in writing, Deputy Returning Officers (DRO's) and such other designated Election Officials as required to assist in the administration of the election process, including but not limited to, revising the Voters' List, management, security and control of the Vote by Mail election system, counting ballots, tabulating results, issuance of notices, printing of materials, and attendance at Ballot Return Stations.

1.3 Written appointments of designated Election Officials and delegation of duties shall include the authority to require any person to furnish proof of identity or qualifications pursuant to the *Municipal Elections Act, 1996*, as amended.

2. ELECTION STAFF

2.1 Clerk shall appoint Deputy Returning Officers or designated Election Officials in writing and they shall be required to attend training session, as required by the Clerk, at a time and place as designated by the Clerk.

2.2 To avoid suggestions of conflict and to protect the integrity of the election process, the following are ineligible to be appointed as designated Election Officials by the Clerk:

- persons under 18 years of age;
- a candidate;
- spouse, child of a candidate;
- scrutineers;
- candidate's financial officer;
- campaign manager, spokespersons or worker;
 - persons convicted under the Municipal Elections Act or earlier version thereof;
- persons barred from being a candidate in the current election; and

- any other person deemed inappropriate by the Clerk having regard for the public interest or the integrity of the election process.

2.3 The Clerk's decisions regarding the appointment or non-appointment of designated Election Officials shall be final and not open for review.

3. SCRUTINEERS

3.1 A certified candidate may appoint, in writing, scrutineers to be present during the counting of the votes. All scrutineers will be required to show proof of appointment in the form prescribed by the Clerk or designated Election Official. Prescribed forms are available from the Clerk or designated Election Official.

3.2 Candidates may appoint scrutineers, who must swear or solemnly affirm an oath.

3.3 Scrutineers will produce a copy of their appointment, upon request, to prove that they are entitled to receive a record of voters who have voted, and observe the updating of the Voters' List, processing of Return Envelopes, removal of ballots from the Inner Ballot Secrecy Envelopes, vote counting, and recount procedures, if necessary.

3.4 The rights of scrutineers are set out in the *Municipal Elections Act*, subject to whatever modifications are necessary to accommodate the Vote by Mail process.

3.5 One scrutineer for each candidate is permitted for each ballot box in the Counting Location, but the number of permitted scrutineers will be reduced by one while the candidate who appointed them is present.

3.6 All scrutineers must comply with the procedures that are set out on their Appointment Form and identified in Appendix "B" attached hereto.

4. PRELIMINARY LIST AND VOTERS' LIST

4.1 The Municipal Property Assessment Corporation (MPAC) is responsible for supplying the Township of Southwold with the Preliminary List for municipal elections. The Preliminary List, as corrected by the Clerk under

Section 22 of the Municipal Elections Act, 1996, shall constitute the Voters' List.

4.2 The preliminary list and the Voters' List are public documents and may be inspected by the public at the Municipal Office during regular office hours from 8:30 a.m. to 4:30 p.m., Monday to Friday. On Election Day, the office will be open from 8:30 a.m. through to the Close of Voting.

4.3 No person shall use information obtained from these lists, except for election purposes. The use and sale of these lists for commercial purposes is PROHIBITED.

4.4 Upon receipt of a written request from a candidate for an office, the Clerk or designated Election Official shall provide him/her with a copy of the part of the Voters' List that contains the names of the voters who are entitled to vote for that office. Candidates will be required to sign a declaration, stating that the Voters' List will be used for election purposes only.

5. VOTERS' QUALIFICATIONS

- 5.1 A voter is entitled to vote once in a municipality where he or she resides even if the voter has more than one qualifying property address, a voter may only have one permanent residence.
- 5.2 A voter may be asked to furnish proof that is satisfactory to the election official of the person's identity or qualifications, including citizenship or residency, or of any other matter. Acceptable Identification is prescribed and attached as Appendix "B".
- 5.3 **Qualifications of Electors**
17(2) A person is entitled to be an elector at an election held in a local municipality if on voting date, he or she,
- (a) resides in the local municipality, or is the owner or tenant of land there, or is the spouse or same-sex partner of such owner or tenant,*
 - (b) is a Canadian citizen,*
 - (c) is a least 18 years old, and*

(d) *is not prohibited from voting under subsection (3) or otherwise by law.*

5.4 **Persons Prohibited from Voting**

17(3) The following persons are prohibited from voting:

- (a) *a person who is serving a sentence of imprisonment in a penal or correctional institution,*
- (b) *a corporation,*
- (c) *a person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with section 44, and*
- (d) *a person who was convicted of the corrupt practice described in subsection 90(3), if Voting Day in the current election is less than five (5) years after Voting Day in the election in respect of which he or she was convicted.*

5.5 A voter must complete the Voter Declaration Form provided in the Vote by Mail kit to declare his or her eligibility to vote in this election.

6. NOTICES

When required under the *Act*, notices will be published in a newspaper having general circulation in the Municipality. In addition, at the discretion of the Returning Officer, notices will also be posted on the street front display window at the Municipal Office and/or on the Public Notice Board located at the Municipal Office and/or on the Municipal Website & Social Media Pages and/or a mass mailing to all residents of Southwold. All notices will be published/posted in the English language only.

6.1 **Notice of Election Information:** Information regarding the election will include the location of the Ballot Return Station, the dates and times on which the station will be opened, and other relevant information as determined by the Clerk.

6.2 **Notice of Revision of Voters' List:** The period for revisions to the Voters' List begins the Tuesday after Labour Day (September 6th, 2022) and ends at the close of Voting on Voting Day.

6.3 **Notice of Nomination**: The nomination period is from May 2nd, 2022 to August 19th, 2022.

6.4 **Certified Election Results**: The certified election results shall be published as soon as possible after Voting Day.

The Clerk reserves the right to publish additional advertisements and notices as deemed appropriate.

7. REVISION OF THE VOTERS' LIST PROCEDURE

7.1 The period for revisions to the Voters' List begins the Tuesday after Labour Day (September 6th, 2022) and ends at the close of Voting on Voting Day.

7.2 Persons, upon application in writing on the prescribed form to the Clerk or designated Election Official, may have their name added, removed, or information added or amended on the Voters' List.

7.3 A voter will be asked to provide, to the designated Election Official, the prescribed proof of identity and residence or complete an application in the prescribed form, including a statutory declaration, to prove his/her right to vote. Such proof of identity and residence shall include the person's name, qualifying address, and signature.

In addition, a voter may be asked to provide proof of citizenship, such as a birth certificate, Canadian Citizenship certificate or other such documentation.

7.4 Applications to remove another person's name from the Voters' List begins the Tuesday after Labour Day and ends on Nomination Day. Application must be made in writing on the prescribed form to the Clerk or designated Election Official.

7.5 Revisions to the Voters' List will be conducted at the Municipal Office, on forms available from the Clerk's Department, during regular office hours up to and including Election Day. On Election Day revisions can take place up to the close of voting.

7.6 The Clerk or designated Election Official will maintain a list of changes.

Applications to revise the Voters' List may be filed in person or by mail by the applicant or in person by an agent. Applications must be filed in accordance with the *Municipal Elections Act, 1996*, Section 24 and Section 25.

- 7.7 Upon determination of all applications for revision to the Voters' List received on or prior to Nomination Day, the Clerk will compile a statement of all changes and within ten (10) days after Nomination Day send a copy of the statement to each person who was provided with a copy of the Voters' List. After the Statement of Changes to the Voters' List has been compiled, the original list and the Statement of Changes together make up the Voter's List.
- 7.8 The Clerk shall certify the Voters' List as revised. Only persons on this Voters' List and those added by revision are entitled to vote.

7.9 It must be emphasized that, in a Vote by Mail system, the onus is on ELIGIBLE VOTERS TO ENSURE that their NAMES and RELEVANT INFORMATION are on the Voters' List. Due to time constraints, the Clerk or designated Election Official cannot ensure that Voting Kits mailed out after the guaranteed date for mail return will reach voters in time for them to exercise their right to vote.

8. NOMINATIONS

- 8.1 Nominations are to be filed with the Clerk or designated Election Official at the Municipal Office, in person or through an agent during normal office hours from May 2nd, 2022 to August 18th, 2022 between the hours of 8:30 a.m. to 4:30 p.m. The nomination paper may not be faxed or e-mailed.
- 8.2 On Nomination Day (August 19th, 2022), the prescribed filing time is 9:00 a.m. to 2:00 p.m. and nominations will be accepted at the Municipal Office only. Nominations will be closed at 2:00 p.m. sharp and only those persons within the office at that time will be considered for filing.
- 8.3 Nominations must be on the prescribed form and accompanied by the prescribed fee. (Councillor or Deputy Mayor – one hundred dollars, Mayor – two hundred dollars – cash (including debit), Visa or Mastercard, money order or certified cheque). Candidates will be required to provide photo-identification when submitting the nomination forms.

8.4 All candidates must provide designated Election Officials with proof of identity and qualifying address within the municipality when filing a nomination. If an agent is filing on behalf of a candidate, the agent must provide a copy of the candidate's proof of identity as well as their own.

8.5 Nomination forms received on or before Nomination Day will be reviewed for completeness when filed and will be certified at a later date, on or before 4:00 p.m. the Monday following Nomination Day (August 22nd, 2022).

8.6 The Nominee's Name as it is to appear on the ballot is subject to approval of the Clerk.

8.7 Notice of Offices for which persons may be nominated and nomination procedures shall be given by advertisement in the local newspapers with general circulation prior to Nomination Day.

8.8 An unofficial list of persons who have submitted nomination forms and the office that they are seeking election to, shall be updated as soon as practical after receipt of nomination papers. The list will also be included on the Township of Southwold Website (www.southwold.ca) and posted on the Public Notice Board located at the Municipal Office.

8.9 An official list shall be posted once nomination forms have been certified and the nomination period has expired.

8.10 A candidate is entitled to a refund of the nomination filing fee if: they are elected to office; they receive more than 2% of the votes cast in the election; or they withdraw their nomination before 2:00 p.m. on Nomination Day.

8.11 The Clerk's decision to certify or reject a nomination is final.

9. Withdrawal of Nominations

9.1 A candidate shall appear in person, with identification in order to withdraw their nomination in the Clerk's Office before 2 p.m. on Nomination Day, being Friday, August 19th, 2022. An agent shall also appear in person, with

identification and a Letter of Authorization to represent the candidate in order to withdraw the candidate's nomination.

9.2 **Nominations for One Office Only** – If a person has been nominated for an office and is nominated for another office, the first nomination shall be deemed to have been withdrawn at the time the second nomination is filed.

9.3 The process for receiving a Withdrawal of Nomination shall be as follows:

9.3.1 Get the candidate's file and nomination paper.

9.3.2 Provide the candidate with a copy of the "Withdrawal of Nomination Form". Ensure that all information is filled out correctly. Fill in 'Clerk or Designate' box.

9.3.3 Provide a copy of the form and inform the candidate that the filing fee will be reimbursed by cheque and upon receipt of the completed Financial Statement. The original form, copy of the cheque and the Financial Statement shall be placed in the candidate's file.

9.3.4 Remove the candidate's name from the 'Unofficial List of Candidates'.

10. Maximum Campaign Expenses

10.1 The period begins on the date a candidate files their nomination and ends on January 3rd, 2023 or the day the nomination is withdrawn or rejected by the Clerk.

10.2 During the campaign period, expenses shall not exceed the amount calculated in accordance with the prescribed formula.

10.3 Upon the filing of a person's nomination, the clerk shall calculate the applicable maximum amount of the person's expenses, as of the filing date, using the number of electors determined from the voters' list from the previous election, and shall give the person, or the agent filing the nomination for the person, a certificate of the applicable maximum amount as of the filing date.

- 10.4 The Clerk will, on September 26th 2022, calculate the maximum campaign expenses for each office for which nominations were filed and prepare a Certificate of Maximum Campaign Spending Limits for each certified candidate.

Whichever of the above two amounts is higher, it becomes the candidate's official spending limit. The Clerk's calculation of the maximum campaign expenses is final.

11. Financial Reporting

- 11.1 The Clerk will, before Voting Day, give to each person nominated for an office, notice of the penalties related to election campaign finances.
- 11.2 The deadline for filing financial statements is the last Friday in March (being March 31st, 2023) following the election on or before 2 p.m. The Clerk will, at least 30 days before the filing date, give notice by registered mail. The Clerk is not required to give any further or additional notice. The penalties for non-compliance may apply unless the candidate files within 30 days and pays a \$500.00 penalty or unless a court ordered extension has been granted.
- 11.3 Financial statements are available at no charge for viewing by the public.

11.5 **Candidate Filing Default**

A candidate is in default of the filing requirements of the Act if:

- (a) he or she fails to file any document as required by the relevant date;
- (b) a document filed shows on its face a surplus and the candidate fails to pay the amount required to the Clerk by the relevant date;
- (c) a document filed shows on its face that the candidate has incurred expenses exceeding what is permitted; or

In the case of these defaults:

(a) the candidate forfeits any office to which he or she was elected and the office is deemed to be vacant; and

(b) until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which the Act applies.

11.6 **Notice of Default**

The Clerk is required to send a notice of the default to the candidate, by Registered Mail, and to the relevant Council or local Board.

12. **ACCLAMATIONS**

12.1 If the number of candidates nominated for any office is equal to or less than the number that are required to be elected to that office, the Clerk will, after 4 p.m. on the Monday following Nomination Day (Monday, August 22nd, 2022) declare the candidate(s) acclaimed and prepare Declaration of Acclamation.

12.2 The Clerk will post this list on the Public Notice Board located at the Municipal Office and on the Municipal Website. The Clerk will also provide a copy of the declaration to the acclaimed candidate(s) and will place a copy of the declaration in the candidate's file.

12.3 If additional nominations have been filed and if, at 2 p.m. on the Wednesday following Nomination Day, the number of certified candidates still does not exceed the remaining number of vacancies. The required additional nominations may be filed on Wednesday August 24th, 2022 between 9:00 a.m. and 2:00 p.m. The Clerk will certify the additional nominations by 4:00 p.m. on August 25th, 2022 and after 4:00 p.m. declare the additional candidate or candidates elected by acclamation.

12.4 The Clerk will post this list on the Public Notice Board located at the Municipal Office and on the Municipal Website. The Clerk will also provide a copy of the declaration to the acclaimed candidate(s) and will place a copy of the declaration in the candidate's file.

13. VOTE BY MAIL PROCEDURES

The procedures for voting are set out in the voting instruction sheet which accompanies the Voting Kit. Voters requiring technical assistance in any manner, should attend at the Municipal Office or call the Township of Southwold at 519-769-2010 for assistance from election staff. The Municipal Office will be open for assistance during normal office hours from 8:30 a.m. to 4:30 p.m., Monday to Friday, up to and including Election Day to the closing of the vote.

Where an election is required to be held for an Office, the Vote by Mail procedure shall be as follows:

13.1 The Municipality, in conjunction with DataFix, will provide a Vote By Mail Kit to every person who qualifies to be an elector up to the Close of Voting on Voting Day.

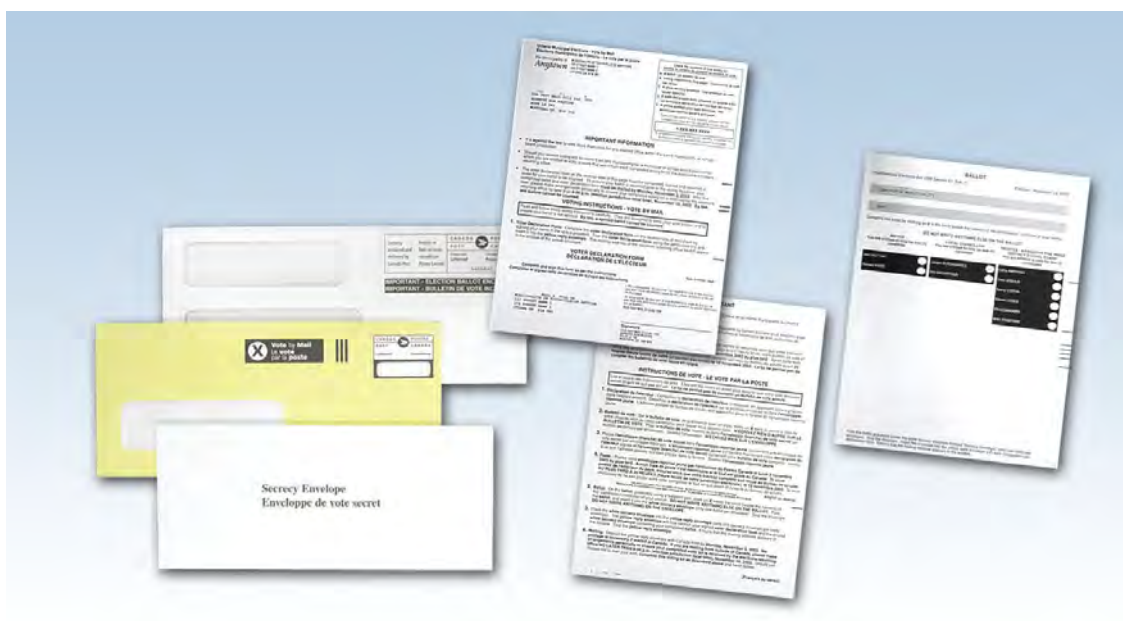
13.2 During the last week of September, delivery of Voting Kits to those that are on the Voter's List as of September 6th, 2022 will commence. After this date, Voting Kits will be provided by the Clerk or designated Election Official, either by mail or in person at the Municipal Office.

13.2.1 A Voting Kit shall consist of:

- A Voting Instruction Sheet;
- A Composite Ballot;
- A White Ballot Secrecy Envelope;
- A Voter Declaration Form (with bar code);
- A Yellow Return Envelope with prepaid postage; and
- Such other necessary material as the Clerk or designated Election Official determines necessary.

13.2.2 In addition to the Voting Kits mailed, the Clerk will receive blank Voting Kits. Once received, the Voting Kits will be counted and the numbers recorded.

13.2.3 The number of Voting Kits distributed by the Clerk or designated Election Official to persons qualifying to be voters after September 6th, 2022 will be recorded.



- 13.3 Upon receipt of the Voting Kit, each voter should follow the instructions provided in the Voting Kit exactly. The instructions require the voter to:
- 13.3.1 Complete the ballot;
 - 13.3.2 Insert the ballot into the ballot envelope marked Secrecy Envelope;
 - 13.3.3 SEAL the Ballot Secrecy Envelope;
 - 13.3.4 Complete and sign the Voter Declaration Form. If a voter requires assistance in voting, he/she shall make their mark (ie. an "x") on the signature line and have a witness sign in the signature area of the Voter Declaration Form;
 - 13.3.5 Place the completed Voter Declaration Form, along with the SEALED Ballot Secrecy Envelope, into the yellow prepaid business reply envelope;
 - 13.3.6 Seal the yellow prepaid business reply envelope; and
 - 13.3.7 Mail the yellow prepaid business reply envelope by the guaranteed date of return or deliver it by some other means

to the Municipal Office no later than 8:00 p.m. on October 24th, 2022.

Note: The postage paid envelope is only applicable for mail originating within Canada.

- 13.4 In addition to using the mail system, a Ballot Return Station will be established for those voters, who prefer to deliver or have delivered their completed ballots, directly into the care of the Clerk or designated Election Official rather than forwarding their ballots by mail.

A Ballot Return Station shall be established at the following location, date and time:

Location	Date and Time
Southwold Township Office 35663 Fingal Line, Fingal	In the after hours drop box anytime, 24 hours a day, 7 days a week, until Election Day (October 24 th , 2022) at 8:00 p.m.

13.5 The final day to deposit the Return Envelope in the mail to ensure delivery (guaranteed mail return date) to the Clerk or designated Election Official is TBD

13.6 Voters who have failed to mail their Return Envelope by the guaranteed return date are encouraged to take steps to ensure alternate delivery of the Return Envelope to the Municipal Office by the Close of Voting on Voting Day.

- 13.7 Return Envelopes deposited in the after hours Drop Box located at the Municipal Office by the Close of Voting on Voting Day will be considered as having been mailed.

13.8 DataFix has a record of all voters on the Voters' List provided by the Municipal Property Assessment Corporation (MPAC), and has received a list of all voters added to the list up to and including September 1st, 2022.

13.8.1 Voters on or added to the list up to September 1st, 2022 will receive their Voting Kit by mail.

13.8.2 Voters added to the list between September 4, 2018 and guaranteed mail return date will receive their Voting Kit by mail or in person from the Clerk or designated Election Official.

13.8.3 After the guaranteed mail return date, it is recommended that those persons making application to add their names to the list do so in person or by an agent at the Municipal Office.

- (i) Those persons making application to add their names to the list do so in person will be asked to provide, to the designated Election Official, the prescribed proof of identity and residence (in accordance with Appendix B) or complete an application in the prescribed form (Declaration of Identity – Form 9), including a statutory declaration, to prove his/her right to vote. Such proof of identity and residence shall include the person's name, qualifying address, and signature.
- (ii) Agents acting on behalf of a voter will be asked to provide, to the designated Election Official, the prescribed proof of identity for themselves, and in addition, for the voter that they are agent for, the prescribed proof of identity and residence to prove the voter's right to vote. Such proof of identity and residence shall include the person's name, qualifying address, and signature.

In addition, proof of citizenship, such as a birth certificate, Canadian Citizenship certificate or other such documentation may be required for any voter.

If the application is certified by the Clerk or designated Election Official, a Voting Kit will be issued at that time. Those voters will have the option of returning the ballot at a later time or conducting their vote and depositing their Return Envelope with a designated Election Official for

placement in the Drop Box in the Municipal Office or depositing the Return Envelope in the Ballot Return Station.

13.8.4 A list of names shall be maintained showing the name and address of each person who has been added to the Voters' List and has been issued a Voting Kit.

13.8.5 It must be emphasized that, in a Vote By Mail system, the onus is on eligible voters to ensure that their names are on the Voters' List. Due to time constraints, the Clerk or designated Election Official cannot ensure that a Voting Kit mailed after the guaranteed mail return date will reach voters in time for them to exercise their right to vote.

Where it is not possible to mail a Voting Kit to a voter, and at the request of the voter, the Clerk or designated Election Official may arrange for a Voting Kit to be delivered to the voter by courier – "collect only".

14. REPLACEMENT VOTING KITS

14.1 If a voter on or added to the Voters' List does not receive a Voting Kit, or if the Voting Kit is lost or destroyed, a Replacement Voting Kit may be issued. The voter or their agent must attend the Municipal Office to obtain a Replacement Voting Kit. A form must be signed by the elector prior to the issuance of a Replacement Voting Kit. The Clerk or designated Election Official will confirm that the voter is qualified, administer an appropriate oath to the voter or their agent, and issue the Replacement Voting Kit.

14.1.1 If the Voting Kit is a Replacement Kit, the Voter Declaration Form will be marked with "RVK" and initialed by the Clerk or designated Election Official to indicate that the voter has been issued a Replacement Voting Kit.

14.1.2 A list of names shall be maintained showing the name and address of each person who has received a "Replacement Voting Kit" and the Master Voters' List shall be updated in accordance with the established procedures.

14.1.3 The designated Election Official shall ensure that a form is filled out for each individual for whom a Replacement Voting Kit is issued. The elector shall also sign a declaration on this form attesting to the fact that they are:

- A qualified elector;
- Not in receipt of their Voting Kit; or
- They were in receipt of their Voting Kit but it has been either lost or destroyed.

14.2 All "Replacement Voting Kits" will be stored in the Secured Room under the control of the Clerk or designated Election Official in the Municipal Office.

14.3 The completed Replacement Voting Kit declarations/forms shall be kept in the custody of the Returning Officer.

14.5 A designated Election Official shall be responsible for monitoring the inventory. The designated Election Official shall ensure that Replacement Voting Kits issued plus remaining inventories equal totals received at all times by producing a daily balance.

15. FORM OF BALLOT

15.1 The form of ballot will be a "Composite Ballot".

15.2 The ballot shall be designed with the names of the candidates in alphabetical order based upon the candidate's last name.

15.3 The place for the elector to mark the ballot for each candidate shall be clear and unambiguous.

16. STORAGE OF BALLOTS & ELECTION MATERIAL - DURING ELECTION PERIOD

Utilization of a Vote by Mail process necessitates the storage of cast ballots, the master voters' list and Replacement Voting Kits in a secure location. For the purpose of the 2022 Municipal Election, the Secure Room shall be designated as the vault located in the Municipal Office, 35663 Fingal Line, Fingal.

STORAGE OF ITEMS REQUIRING SECURITY

- 16.1 The following items shall be secured during the election period:
- Ballot Boxes
 - Drop Boxes
 - Replacement Voting Kits
 - Master Voters' List
- (any other material as deemed necessary by the Clerk)
- 16.2 During the election period beginning on or about September 26th through October 24th, all ballot boxes, and Replacement Voting Kits will be kept in the Secure Room and may only be accessed by either the Returning Officer or a designated Election Official.
- 16.3 Access will be witnessed by an additional individual.
- 16.4 The Master Voters' List will be kept in the Secure Room and may be removed on a daily basis for updates and revisions. As well, the Master Voters' List will be given to the designated Election Official to strike the names of those who have voted.
- 16.5 The Drop Box located at the Municipal Office, will be kept in view of the main reception counter during regular office hours, and will be returned to the Secure Room at the close of business each day.

17. SECURITY OF THE BALLOT PRIOR TO VOTING

- 17.1 Ballots will be printed under the supervision of the Vendor and the number of ballots printed will be forwarded to the Clerk.
- 17.2 The Vendor will mail a ballot to each person identified on the revised Voters' List as of September 6th, 2022 and this number of ballots used will be forwarded to the Clerk.
- 17.3 In addition to the ballots mailed, the Clerk will receive approximately 1,500 additional ballots. Once received, the ballots will be counted and the numbers recorded.
- 17.4 The number of ballots distributed by the Clerk or designated Election Official to persons qualifying to be voters after September 6th, 2022 will be recorded.

- 17.5 If the Clerk or designated Election Official runs out of ballots printed by the Vendor, he/she may photocopy as many ballots as he/she deems necessary and place his/her initials upon the back of such ballots. The number of ballots copied will be recorded.

18. SECURITY OF THE BALLOT DURING/AFTER THE VOTE

- 18.1 Upon receiving the prepaid yellow Return Envelope by mail or from a Ballot Return Station, the Return Envelope will be opened and upon being verified, the sealed Inner Ballot Secrecy Envelope will be stored in ballot boxes. The number of Inner Ballot Secrecy Envelopes entered into the container each day will be recorded.
- 18.2 At the end of each day, the Clerk or designated Election Official shall affix a seal to the ballot box, initial the seal and place the sealed boxes in a secure location under the control of the Clerk or designated Election Official. Each morning, the Clerk or designated Election Official shall retrieve the ballot box, inspect the seals to ensure that they are intact, and in the presence of another designated Election Official, break the seals to access the slots for use during the day. Ballot boxes (as required) shall be maintained at the Election Day Ballot Return Station during the specified hours. At the Close of Voting, the ballot boxes maintained at the Ballot Return Station shall be sealed.
- 18.3 The ballot boxes, once sealed, will be transported to the Counting Location and the boxes opened and the ballots counted.
- 18.4 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 Clerk or designated Election Official prior to transfer to a secure place under the control of the Clerk or designated Election Official.

19. PROCEDURE ON RECEIPT OF RETURN ENVELOPES

19.1 **Mailed Return Envelopes**

- 19.1.1 Return Envelopes will be received, on a regular basis, by designated Election Officials. The Clerk or a designated

Election Official, shall in plain view, sort the Return Envelopes for processing and place them in a tray/container for this purpose. These trays/containers will be placed in the Secured Room for safekeeping until the designated time for the Return Envelopes to be opened in accordance with the procedures set out in S. 20.

19.1.2 Access to the secure location will be restricted commencing at the time of receipt of the first Return Envelope until the Close of Voting on Election Day.

19.1.3 The opening of Return Envelopes between September 26th, 2022 and Voting Day is for the purpose of processing Voter Declaration Forms, updating the Voters' List, and placing sealed Ballot Secrecy Envelopes into the Ballot Boxes.

19.2 **Dropped Off Return Envelopes**

19.2.1 Voters attending in person at the Municipal Office to exercise their right to vote shall complete their vote in accordance with the instructions contained in the Voting Kit and may deliver the Return Envelope to a designated Election Official. There will be an area designated at the Municipal Office for voters to complete their vote in privacy.

19.2.2 Return Envelopes will be deposited immediately in a secure receptacle (Ballot Box) located in the main reception counter area. The receptacle shall be clearly marked as a "Drop Box" for return ballots in their Return Envelopes containing the ballot secrecy envelope and the Voter Declaration Form.

19.2.3 Designated Election Officials shall monitor the use of the Drop Box and request placement of its contents in the Secured Room as often as necessary. The contents of the Drop Box may be processed daily or as needed, with the mailed Return Envelopes. Designated Election Officials shall ensure that the Drop Box is placed in the Secured Room at the end of every business day.

- 19.3 On Monday to Friday, from September 26th, 2022 to and including October 24th, 2022, between the hours of 8:00 a.m. and 5:00 p.m., as required and on Voting Day between the hours of 8:00 a.m. and 8:00 p.m., Return Envelopes will be opened by designated Election Officials and dealt with as outlined in Section 20 below.

20. COUNTING OF BALLOTS – ACCEPTED AND REJECTED BALLOTS

- 20.1 The Clerk and designated Election Officials will ensure that every vote possible can be counted.
- 20.2 At the designated time and location, the Clerk or designated Election Official, in the presence of at least one other designated Election Official, will sort the Return Envelopes and will open Return Envelopes which have been received at the Municipal Office, and will remove the Ballot Secrecy Envelope and Voter Declaration Form from the Return Envelope.

The designated Election Official will identify the voter from the Voter Declaration Form, and will confirm that the Voter Declaration Form is properly signed and the designated Election Official will update the Voters' List by striking the name of the elector.

- 20.2.1 If upon opening the Return Envelope, it contains an equal number of Ballot Secrecy Envelopes to Voter Declaration Forms, the ballots WILL BE COUNTED.

- 20.2.2 If upon opening the Return Envelope, the ballot is not contained within the Ballot Secrecy Envelope; however is accompanied by a signed Voter Declaration Form, the Election Official will insert the ballot into a Ballot Secrecy Envelope without examining the ballot and seal the envelope. The ballot WILL BE COUNTED.

- 20.2.3 If upon opening the Return Envelope, it contains a Ballot Secrecy Envelope; however, there is no Voter Declaration Form, the Election Official will open the Ballot Secrecy Envelope to determine if the Voter Declaration Form has been inserted in the Ballot Secrecy Envelope.

- (a) If the Election Official finds the Voter Declaration Form contained in the Ballot Secrecy Envelope, the Election Official will remove the Voter Declaration Form without examining the ballot. The Ballot Secrecy Envelope will be resealed by taping it closed.
 - (i) If the Voter Declaration Form is signed, the ballot WILL BE COUNTED.
 - (ii) See Section 20.2.5 if the Voter Declaration Form is unsigned.
- (b) If the Election Official does not find the Voter Declaration Form contained in the Ballot Secrecy Envelope, the ballot WILL BE REJECTED.

20.2.4

If upon opening the Return Envelope, it contains more Voter Declaration Forms to Ballot Secrecy Envelopes, or more Ballot Secrecy Envelopes to Voter Declaration Forms, the Election Official will open the Ballot Secrecy Envelopes to determine if any Voter Declaration Forms or additional ballots have been inserted in such envelopes.

- (a) If the Election Official finds more than one ballot is contained in the Ballot Secrecy Envelope and the number of ballots now equals the number of Voter Declaration Forms, the Election Official will remove the additional ballot without examining the ballot and insert it into a new Ballot Secrecy Envelope and seal or tape the envelopes.
 - (i) If the Voter Declaration Form is signed, the ballots WILL BE COUNTED.
 - (ii) See Section 20.2.5 if the Voter Declaration Form is unsigned.
- (b) If the Election Official finds that a Voter Declaration Form is contained in the Ballot Secrecy Envelope, the Election Official will remove the Voter Declaration

Form without examining the ballot and seal or tape the Ballot Secrecy Envelope.

- (i) If the Voter Declaration Form is signed, the ballots WILL BE COUNTED.
 - (ii) See Section 20.2.5 if the Voter Declaration Form is unsigned.
- (c) If after this process there remains a different number of Ballot Secrecy Envelopes than Voter Declaration Forms, the ballots WILL BE REJECTED.

20.2.5

If a Voter Declaration Form has *not been signed* by the voter, and where sufficient time permits, an attempt will be made to contact the voter to provide for an opportunity for the voter to sign the Voter Declaration Form. The Voter Declaration Form together with the Ballot Secrecy Envelope will be kept in the Secured Room up to the Close of Voting on Voting Day.

- (i) If the voter attends the Municipal Office and signs the Voter Declaration Form prior to the Close of Voting on Voting Day, the ballot WILL BE COUNTED.
- (ii) If the Voter Declaration Form is unsigned at the Close of Voting on Voting Day, the ballot WILL BE REJECTED.

20.2.6

If, upon opening the Return Envelope, the Ballot Secrecy Envelope has not been sealed or in the event the Ballot Secrecy Envelope has been sliced open as a result of opening the Return Envelope, the Clerk or designated Election Official will seal or tape the envelope without examining the ballot and the ballot WILL BE COUNTED.

20.2.7

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

and separated from the ballot prior to counting, ballot envelopes dealt with in such a manner will not automatically be rejected. The decision of the Clerk in determining whether or not the ballot will be counted or rejected is final.

Rejected Ballots

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

- (a) upon opening the Return Envelope there is no Voter Declaration Form, subject to Section 20.2.3 above;
- (b) upon opening the Return Envelope there is a different number of Ballot Secrecy Envelopes than Voter Declaration Forms, subject to Section 20.2.4 above;
- (c) upon opening the sealed Ballot Secrecy Envelope at the Counting Location, the envelope contains more than one ballot;
- (d) upon opening the sealed Ballot Secrecy Envelope at the Counting Location, the envelope contains a ballot which has not been marked, it will be counted as a 'Ballot Used but Unmarked by Elector'; and
- (e) if votes have been cast for more candidates for the office than are elected (ie: voted for 4 councillors instead of 3) that portion of the ballot shall be rejected.

20.2.9 A ballot may be rejected if the vote is not marked inside the space provided for marking the ballot. The vote should be obvious, if not, that portion of the ballot shall be rejected.

- 20.2.10 Any ballots received after 8:00 p.m. on Election Day shall be rejected.
- 20.2.11 In cases where the voter has already been struck off the list as having voted (in cases where a voter votes twice), the Election Official will mark the outer envelope, number, initial and record that it has been rejected.
- 20.2.12 Where a Ballot Secrecy Envelope is rejected, the reason for the rejection shall be recorded by numbering the Ballot Secrecy Envelope and noting the reason for the rejection on a separate Rejected Ballots Record.
- 20.3 The designated Election Official will place the Voter Declaration Form in a container. Voter Declaration Forms that have been processed will be made available for viewing at the Municipal Office by the candidates or scrutineers to review or update their Voter's Lists, if desired.
- 20.4 The designated Election Official will place the Ballot Secrecy Envelope in the appropriate Ballot Box and keep a running tally of the number of Ballot Secrecy Envelopes in that box. (In order to facilitate counting on Voting Day, a maximum number of ballots per box will be predetermined). Once the box contains the predetermined number of ballots, the box will be sealed, numbered sequentially and stored in the Secured Room under the control of the Clerk or designated Election Official. A new box will then be utilized.
- (ie. Box 1 – once this box contains the predetermined number of Ballot Secrecy Envelopes, it will be numbered accordingly, sealed and placed in the Secured Room under the control of the Clerk or designated Election Official. A new Ballot Box, numbered Box 2 will be used.)
- 20.5 After all Return Envelopes received each day have been dealt with, the Clerk or designated Election Official will affix a seal to each Ballot Box, initial the seal and place the sealed Ballot Box in the Secured Room under the control of the Clerk or designated Election Official.
- 20.6 Each morning, the Clerk or designated Election Official will re-open the Ballot Boxes in the presence of at least one other designated Election Official.

20.7 On Voting Day, the Ballot Boxes and other required election material will be transported to the Counting Location.

21. COUNTING LOCATION

21.1 The Counting Location will be located in the Municipal Office located at 35663 Fingal Line, Fingal.

21.2 Proceedings at a Counting Location are under the direction of the Clerk, or persons designated by the Clerk and no other person shall touch any ballot, or interfere in the proceedings in any way.

21.3 No campaign material will be allowed within the Counting Location.

22. PROGRAMMING & TESTING OF CENTRAL COUNT TABULATORS

22.1 For the purpose of counting ballots, the Township of Southwold will utilize optical scanning Vote Tabulators. The Clerk or designated Election Official will facilitate the training sessions for all Election Officials using the Vote Tabulators and shall oversee the programming, testing and use of the Vote Tabulators.

22.2 Programming

The Vote Tabulator hardware and software shall be programmed so that:

- a printed record of the number of votes cast for each candidate is provided;
- the tabulator will stop when it hits a damaged or defective ballot;
- a ballot that is damaged or defective or has been marked in such a way that it cannot be properly processed by the scanner shall be returned to the Election Official;
- an over-voted race (i.e. where more votes are marked than are allowed) shall not be counted. The remaining races that have been properly voted on that same composite ballot shall be counted;
- an under-voted race (i.e. where fewer votes are marked than are allowed) shall be counted;
- a blank ballot (i.e. no votes indicated in any race on the

composite ballot) shall be counted;

- 22.3 Prior to Voting Day, the Clerk in the presence of a designated Election Official, shall have the Vote Tabulators tested to ensure that they will accurately count the votes for all candidates that are marked with a valid mark in the designated area.
- 22.4 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.
- 22.5 After programming the Vote Tabulators, a set of ballots shall be established for testing purposes. The back of these test ballots shall be marked "sample".
- 22.6 The testing of the vote tabulators shall be conducted as follows:
- 22.6.1 Tabulate a pre-audited group of ballots marked in the designated area, including ballots that fall into each of the following categories:
- ballots on which are recorded a pre-determined number of votes for each candidate;
 - ballots that have over-voted races for each office;
 - ballots that have under-voted races for each office;
- and
- ballots that have no votes recorded.
- 22.6.2 Assign a varying number of votes to each candidate.
- 22.6.3 Compare the output of the tabulation with the pre-audited results.
- 22.7 If the Clerk or designated Election Official detects any errors in the tests, efforts shall be made to determine the cause of the error and correct it. The test shall be repeated until an errorless count is made and certified by the Clerk or designated Election Official.
- 22.8 The Clerk shall, at the completion of the tests, Produce a final set

of zero totals reports in order to confirm that the systems has been successfully re-zeroed, retain the programs, test materials and ballots in a sealed envelope with the remaining election materials and records in accordance with the Act.

- 22.9 In the event that a scanner malfunctions during the counting process, it may be necessary for an adjustment to be made on the scanner. Paper jams, multi-feeds, and other minor interruptions shall not be considered malfunctions and will not require that the system be re-tested.
- 22.10 The Clerk shall retain and have access to the pre-audited group of ballots referred to in Section 22.6 and other materials used in the programming and testing of the Vote Tabulators.

23 TABULATION & COUNTING THE BALLOTS

- 23.1 No ballot cast in the 2022 municipal election shall be tabulated or counted prior to Voting Day (October 24th, 2022).
- 23.2 On October 24th, 2022, at a time to be determined by the Clerk, the sealed Ballot Boxes stored in the Secured Room containing the Secrecy Envelopes will be transported by the Clerk or designated Election Official to the Counting Location.
- 23.3 During the sequestered period on Voting Day, designated Election Officials, at the Counting Location, will open the Ballot Boxes, remove and open the Secrecy Envelopes and sort the ballots in preparation for processing through the Vote Tabulators. The ballots will be bundled into batches of 50 ballots for processing and tabulation.
- 23.4 The Ballot Secrecy Envelopes will be opened by hand.
- 23.5 No results or final counting of ballots will be made until after the Close of Voting.
- 23.6 No candidate or scrutineer shall interfere with the vote tabulation or count in any manner or they will be required to leave the Counting Location.

- 23.7 The Clerk will appoint Election Officials to operate the Vote Tabulators. It is the operators' responsibility to ensure the fairness and accuracy of the tabulation of ballots. It will be their responsibility to use whatever appropriate means they feel necessary to accomplish this goal, subject to direction by the Returning Officer.
- 23.8 Upon receipt of a batch of 50 ballots at the Ballot Scanning Station, the designated Election Official shall feed the batch of ballots into the Vote Tabulator. The image processor will read each image to determine voter intent. Once scanned, the batch will be placed in an envelope marked with the Tabulator and Batch Number.
- 23.9 Defective Ballot Processing: Slit, torn, ripped, crumpled, damaged or defective ballots shall be set aside and processed as a separate batch as follows:
- 23.9.1 In the event a ballot is accidentally slit or damaged during extraction from the Secrecy Envelope in such a manner that it cannot be scanned, the Election Official shall re-insert the ballot back into the envelope and set it aside for the designated Election Official to deliver it to the Defective Ballot Processing Station.
- 23.9.2 A replacement ballot shall be prepared in plain view at the Defective Ballot Processing Station by marking a new ballot only with the marks contained in the designated voting spaces on the original used ballot, and the replacement ballot shall be clearly labeled "replacement" and given a number which shall also be recorded on the original used ballot.
- 23.9.3 The replacement ballot shall be substituted for the original used ballot and then tabulated by the Vote Tabulator.
- 23.10.4 The original used ballot being replaced shall be placed in the batch envelope marked "Defective Ballots" by the Clerk or Election Official with the tabulated batch of replacement ballots.
- 23.11 Any part of any ballot rejected shall not invalidate the remainder of the ballot except if there are elector identifying marks, in

which case the entire ballot shall be rejected. There are appropriate spaces on the back of the composite ballot for numbering and noting objections to ballots. A corresponding list is provided to record the same number and summarize any objection.

23.12 Once all ballots have been counted, the ballots will be secured; the Ballot Boxes will be sealed and returned to the Clerk or designated Election Official for secure storage.

23.13 No candidate or scrutineer shall interfere with the vote tabulation or count in any manner or they will be required to leave the Counting Centre.

24. ENVELOPES

24.1 Envelope B – For All Declined Ballots – A Declined ballot is a ballot which has been returned to the DRO by an elector who has declined to vote, and who thereby forfeits his or her right to vote. In such circumstances, the DRO should immediately write the word “DECLINED” upon the ballot and place it in this envelope and into the ballot box at the close of Poll. **(THIS IS FOR ELECTION OFFICIALS WORKING DURING THE DAY)**

24.2 Envelope D – For all used ballots that have not been objected to and have been counted in whole or in part – immediately following the count of the votes, the DRO should place such ballots in this envelope.

24.3 Envelope E – for all used ballots that have been objected to but have been counted in whole or in part – immediately following the count of the votes, the DRO should place in this envelope the ballots objected to by a candidate or scrutineer. The DRO is authorized to decide the objection, subject to review on a recount or in a proceeding questioning the validity of the election.

24.4 Envelope F – For all rejected ballots – All rejected ballots should be placed in this envelope. The DRO shall establish a list in which the objections are summarized and numbered, write the number of each objection on the back of the relevant ballot and initial the number, and

where all the votes on the ballot are rejected the ballot shall be treated as a rejected ballot.

24.5 Envelope G – For all ballots used but unmarked – For example, a blank ballot. An Elector who wanted to be marked off on the voter’s list as having voted but did not want to vote for any candidate.

25. TABULATION PROCEDURES

- 25.1 Tabulation of the Statement of Results will be conducted using an Excel spreadsheet in the Municipal Office commencing after 8:00 p.m.
- 25.2 Tabulation of results for each elected position will be calculated and posted as the information is received from the Counting Location.
- 25.3 The results forwarded to the Keystone Complex will be unofficial.

26. ANNOUNCEMENT OF RESULTS

- 26.1 Unofficial results of the counting will be posted on the Municipal Election Board located at the Municipal Office and on the Municipal Website following the conclusion of counting on Voting Day.
- 26.2 Official results will be announced and posted by the Clerk on the Municipal Election Board at the Municipal Office and on the Municipal Website as soon as possible after Voting Day.

27. RECOUNTS

- 27.1 The Clerk will conduct all recounts as per the regulations in the *Municipal Elections Act, 1996, Sections 56 to 64* and Township of Southwold By-Law No. 2022-16.

A recount is required when:

- a tied vote where both or all candidates cannot be declared elected;
- by resolution of council;
- by resolution of a local board; and

- by order of the Ontario Superior Court of Justice.

- 27.2 The Clerk will conduct the recount in the same manner as with the original count, unless otherwise ordered by the judge who issued the order for the recount.
- 27.3 The Clerk will notify all involved parties of the recount and set a date, time and place of the recount.
- 27.4 If, after a recount is conducted, there is still a tie vote, the names of the candidates will be placed in a container. The Clerk will draw a name from the container. The name drawn will be the successful candidate.
- 27.5 At a recount, the following persons are entitled to examine each ballot as the votes are being counted by the Clerk (Section 42(4) of the MEA):
- Certified candidate;
 - Applicant who requested recount;
 - A lawyer for candidate or application; and
 - One scrutineer for each recount station

28. DISPOSITION OF RECORDS

- 28.1 The Clerk will retain all the ballots, documents and materials relating to the 2022 Municipal Election for 120 days after declaring the results of the election. The earliest date for destruction of election records is February 23rd, 2023.
- 28.2 The Clerk shall retain the financial statement and auditor's report until the Members of Council elected at the next regular election have taken office.
- 28.3 The Clerk shall not destroy the ballots or documents if the court orders that they be retained, or a recount has commenced and not finally disposed of.
- 28.4 Documents and materials destroyed will be witnessed by two people and the 'Witness Statement as to Destruction of Ballots' will be completed.

29. ACCESSIBILITY

- 29.1 The Clerk shall have regard for the needs of candidates and electors with disabilities.
- 29.2 The Clerk shall ensure that the Ballot Return Station is accessible to electors with disabilities.
- 29.3 The Clerk shall ensure that the Counting Location is accessible to candidates and scrutineers with disabilities.
- 29.4 The Clerk shall prepare a Report to be submitted to the Council, 90 days after voting day, about the identification, removal and prevention of barriers that affect voters and candidates with disabilities.
- 29.5 Election Officials will be available for assistance during normal office hours from 8:00 a.m. to 5:00 p.m., Monday to Friday, during the election period and on Voting Day from 8:00 a.m. to 8:00 p.m.
- 29.6 The Township of Southwold has established Accessible Customer Service Policies, Practices and Procedures. The 2018 Municipal Election for the Township of Southwold will be conducted with having regard to the policies as established.

30. EMERGENCIES

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

31. GENERAL

Any person, corporation or trade union guilty of corrupt practices or contravening provisions of the *Municipal Elections Act 1996* may be prosecuted pursuant to the provisions of the *Municipal Elections Act 1996*.

32. AMENDMENTS TO PROCEDURES

- 32.1 The Clerk has the right, at any time, up to and including Voting Day, to amend the procedures contained herein. A copy of any amendment will be forwarded to each candidate, if time permits.
- 32.2 With respect to matters of policy and procedures for alternative voting methods, the Clerk's decision is final.

DATED at the **TOWNSHIP OF SOUTHWOLD** and **Received by Council April 25, 2022.**

Lisa Higgs
Clerk and Returning Officer
Township of Southwold



APPENDIX "A"

PROCEDURES FOR SCRUTINEERS

1. GENERAL

- 1.1 A candidate may appoint scrutineers to represent him or her during the processing and at the tabulating of the votes, including during a recount.
- 1.2 The appointment of the scrutineer shall be in writing on the Clerk's prescribed form.
- 1.3 All scrutineers must comply with the procedures that are set out on their appointment form.
- 1.4 The appointment of a scrutineer shall be in writing if made by a candidate or applicant for a recount.
- 1.5 A scrutineer shall, on request, show his or her appointment to the designated Election Official in charge of the Return Envelope and Inner Ballot Secrecy Envelope processing or of a place where votes are being counted.
- 1.6 Scrutineers may be present when Return Envelopes, Inner Ballot Secrecy Envelopes are being processed and when the votes are being tabulated. The scrutineers that may be present include:
 - 1.6.1 One (1) scrutineer for each certified candidate to view the process of opening the secrecy envelopes at the Counting Location;
 - 1.6.2 One (1) scrutineer per certified candidate at each counting location;
 - 1.6.3 The number of scrutineers who may be present is reduced by one while the candidate who appointed them is present; and

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- 1.6.4 There is no age or relation to the candidate restrictions relative to the appointment of scrutineers.
- 1.7 Cell phones or other equipment will not be permitted in the Counting Location other than for designated Election Officials as authorized by the Clerk.
- 1.8 No candidate or scrutineer shall interfere with the vote count in any manner, or they will be required to leave the Counting Location. Should they do so, they shall be required to leave the facility when so requested by the designated Election Official.
- 1.9 The designated Election Official shall provide a candidate/scrutineer a printout of the results signed by designated Election Official, if requested.
- 1.10 Persons arriving at the Counting Location after 10:00 a.m. on Voting Day and before 8:00 p.m. will be permitted to enter but will not be permitted to return once they leave the Counting Location.
- 1.11 No campaign material will be allowed within the Counting Location on Voting Day.

2. RIGHTS OF SCRUTINEERS (includes candidates)

- 2.1 To be present during the processing of Return Envelopes, Inner Ballot Secrecy Envelopes and at the tabulating of the ballots.
- 2.2 To inspect the ballot boxes, forms and documents relating to the vote (but not so as to unduly delay processing).
- 2.3 To examine each ballot as votes are counted (but not to touch the ballot);
- 2.4 To object to a Return Envelope, Inner Ballot Secrecy Envelope or a ballot or the counting of votes in a ballot;
- 2.5 To sign the Statement of Results prepared by the Deputy Returning Officer;

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- 2.6 To place a seal (and/or initial the seal) on the ballot box after the counting of the votes when the Election Official seals the box.
- 2.7 A scrutineer may object to a ballot, or to the counting of some or all votes in a ballot, on the grounds that the ballot or votes do not comply with the prescribed rules. The Election Official alone shall decide all objections.

3. PROHIBITIONS ON SCRUTINEERS (includes candidates)

- 3.1 Scrutineers and candidates are prohibited from:
 - 3.1.1 Attempting directly or indirectly to interfere with how an elector votes and prohibited from attempting to campaign or persuade an elector to vote for a particular candidate at the Ballot Return Station.
 - 3.1.2 Displaying a candidate's election campaign material at the Ballot Return Station or within the Counting Location on Voting Day. No campaign material or literature of any nature whatsoever of any candidate in the election shall be displayed within the Voting/Counting Location. This includes campaign buttons or any other advertising materials.
 - 3.1.3 Compromising the secrecy of the voting.
 - 3.1.4 Interfering or attempting to interfere with an elector who is marking a ballot at the Ballot Return Station.
 - 3.1.5 Obtaining or attempting to obtain, in a Ballot Return Station, any information about how an elector intends to vote or has voted.
 - 3.1.6 Communicating any information obtained at a Ballot Return Station about how an elector intends to vote or has voted.



APPENDIX "B"

ACCEPTABLE DOCUMENTS FOR VOTER IDENTIFICATION

PROOF OF IDENTITY AND RESIDENCE

The following is prescribed as the proof of identity and residence that a person may present for the purposes of paragraph 1 of subsection 52 (1) of the Act:

1. An original, or a certified or notarial copy, of a document that is listed in Schedule 1 and shows the person's name and qualifying address. O. Reg. 304/13, s. 1; O. Reg. 151/18, s. 1. SCHEDULE 1

1. An Ontario driver's licence.
2. An Ontario Health Card (photo card).
3. An Ontario Photo Card.
4. An Ontario motor vehicle permit (vehicle portion).
5. A cancelled personalized cheque.
6. A mortgage statement, lease or rental agreement relating to property in Ontario.
7. An insurance policy or insurance statement.
8. A loan agreement or other financial agreement with a financial institution.
9. A document issued or certified by a court in Ontario.
10. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
11. Any document from a Band Council in Ontario established under the Indian Act (Canada).
12. An income tax assessment notice.
13. A Child Tax Benefit Statement.
14. A Statement of Employment Insurance Benefits Paid T4E.
15. A Statement of Old Age Security T4A (OAS).
16. A Statement of Canada Pension Plan Benefits T4A (P).
17. A Canada Pension Plan Statement of Contributions.
18. A Statement of Direct Deposit for Ontario Works.
19. A Statement of Direct Deposit for Ontario Disability Support Program.
20. A Workplace Safety and Insurance Board Statement of Benefits T5007.
21. A property tax assessment.

22. A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement.
23. A CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities.
24. A hospital card or record.
25. A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution.
26. A document showing residence at a long-term care home under the Long-Term Care Homes Act, 2007, issued by the Administrator for the home.
27. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utility commission.
28. A cheque stub, T4 statement or pay receipt issued by an employer.
29. A transcript or report card from a post-secondary school