

**Subject:** 2022 Municipal and School Board Election – Policies and Procedures

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0093 – Clerks – 2022 Municipal and School Board Election – Policies and Procedures, for information.**

**Background:**

Section 11 of the *Municipal Elections Act, 1996* (the "Act") states the clerk of a local municipality is responsible for conducting elections within that municipality.

Additionally, Section 12 of the Act states a clerk who is responsible for conducting an election may provide for any matter or procedure that:

- a) is not otherwise provided for in an Act or regulation, and
- b) in the clerk's opinion, is necessary or desirable for conducting the election.

**Analysis:**

The Clerk has adopted the attached policies and procedures to govern the 2022 Municipal and School Board Election. These policies and procedures are a complement to the rules and regulations set out in the Act.

The attached policies and procedures have been created to ensure transparency, openness, fairness and consistency throughout the municipal election process.

The Clerk shall make such minor clerical, typographical or grammatical corrections, additions, deletions or other changes to any policy or procedure as may be required for the purpose of ensuring the correct and complete implementation of same for the management of an election.

**Financial Considerations:**

There are no financial considerations.

**Alternatives Reviewed:**

No alternatives have been revised.

**Strategic Plan Relationship: Build Strong Communities and Cultural Assets**

It is important candidates, electors and members of the public have access to the policies and procedures which will guide the 2022 Municipal and School Board Election. Providing these documents demonstrates the Town's commitment to running a fair and democratic election.

**Consultation:**

None.

**Other Pertinent Reports/Attachments:**

Appendix A – Policy 201-11 Use of Corporate Resources for Election Purposes  
Appendix B – Guide to Accessible Elections  
Appendix C – Policies and Procedures Governing Response to Emergency Situations  
Appendix D – Policies and Procedures for Conducting a Recount  
Appendix E – Pelham Election Team: Poll Supervisor Guide  
Appendix F – Pelham Election Team: Deputy Returning Officer Guide  
Appendix G – Pelham Election Team: Vote Tabulator Guide  
Appendix H – Special on Demand Vote by Mail Procedure  
Appendix I – Town of Pelham Candidate Guide  
Appendix J – Town of Pelham Third Party Advertiser Guide  
Appendix K - Candidate Access Portal User Guide  
Appendix L – Vote Tabulator Procedure  
Appendix M – Town of Pelham Election Sign-By-law

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**MUNICIPAL  
ELECTION**  
**October 24 2022**



# **Policies and Procedures**



**Policies and Procedures**

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## 1. Purpose

The Clerk who is responsible for conducting an election or by-election may provide for any matter or procedure that is not otherwise provided for in an Act or Regulation and, in the Clerk's opinion, is necessary or desirable for conducting the election. Other than the forms prescribed by the Minister, the Clerk has the authority to establish forms, including forms of oaths and declarations and to require their use.

The discretionary authority provided to the Municipal Clerk in the *Municipal Elections Act, 1996*, brings with it a degree of risk and inherent liability. This liability issue is prevalent across the board for public sector organizations where discretion is being exercised. Through development of these policies, the potential for risk is mitigated as matters will be addressed in a consistent manner.

The Clerk has adopted the attached policies and procedures to govern the 2022 Municipal and School Board Election. These policies and procedures are a complement to the rules and regulations found in the *Municipal Elections Act, 1996*, S.O. 1996, c. 32 (the "Act"). This procedure or administrative policy document clearly defines the nature of the discretionary power being exercised, the manner in which the power will be exercised and the person or persons responsible for the exercise of the discretionary authority.

The Clerk shall make such minor clerical, typographical or grammatical corrections, additions, deletions or other changes to any policy or procedure, as may be required for the purpose of ensuring the correct and complete implementation of same for the management of an election.

For the purposes of the 2022 Municipal and School Board Election, additional precautionary measures have been developed to address contemplated health concerns and to develop measures to prevent or mitigate implications of conducting an in-person election during or immediately following a global pandemic, the novel coronavirus, COVID-19. All measures deemed necessary and practical will be incorporated and consistently enforced.

## 2. The Role of the Clerk

Section 12(1) of the Act states:

A Clerk who is responsible for conducting an election may provide for any matter or procedure that:

- Is not otherwise provided for in an Act or regulation; and
- In the Clerk's opinion is necessary or desirable for conducting the election. 1996, c.32, Sched., s. 12(1).

The Act confers upon the Clerk the power to establish policies and procedures to govern any matters related to an election as the Clerk deems necessary. It is therefore prudent to set out in written form certain policies and procedures for dealing with specific aspects of the municipal election with a view to maintaining fairness and consistency in the conduct of an election, to ensure that all eligible persons have the opportunity to exercise their right to vote and to uphold the integrity of the democratic process. Any reference in this manual to the Clerk is deemed to include any designate.

With this in mind, various procedures have been developed with regards to the conduct of the Town of Pelham 2022 Municipal and School Board Election, and will be provided to all registered candidates.

## 3. Goals and Objectives

The following are the Clerk's goals and objections for the execution of the 2022 Municipal and School Board Election:

- To ensure that eligible voters can exercise their right to vote and/or be a candidate in a safe and fair manner;
- To ensure the secrecy and confidentiality of the vote for all electors;
- To raise awareness and educate voters through a Public Awareness Campaign;
- To encourage participation;
- To be fair, open, consistent and transparent; and
- Given the current worldwide pandemic, novel coronavirus COVID-19, to protect the health, safety and welfare of all stakeholders to the best of the ability of the municipality.



## 4. Background

The policies and procedures were measured against the principles of democratic elections, universally accepted as:

- The integrity of the election process, and voter accessibility;
- The secrecy of the vote; and
- The proper majority vote decides the election.

The principles that were considered by the Province in the development of the Act were:

- The secrecy and confidentiality of individual votes as being paramount;
- The election should be fair and non-biased;
- The election should be accessible to the voters;
- The integrity of the process should be maintained throughout the election;
- There should be certainty that the results of the election reflect the votes cast; and
- Voters and candidates should be treated fairly and consistently within a municipality.

The Act stipulates that a ballot shall be given only if the deputy returning officer is satisfied that the person is entitled to vote at the voting place, and the person presents the prescribed proof of identity and residence, or completes an application in the prescribed form, including a statutory declaration that he or she is the elector shown on the voters' list [s. 52(1)].

As such, and being mindful of the principles outlined above, consistency in identification requirements and protocols will be used in every voting place, using the approved forms of identification as provided by regulation.

It is the Clerk's belief that the policies and procedures contained within this manual will provide an election structure that meets the needs of the electorate and conforms to the principles of democratic elections.

## 5. Procedure

### 5.1. Receiving Nominations

5.1.1. The Clerk or designate will accept nominations for the following:

- Mayor and Regional Councillor (1 to be elected)
- Councillor, Ward One (2 to be elected)
- Councillor, Ward Two (2 to be elected)
- Councillor, Ward Three (2 to be elected)
- Regional Councillor (1 to be elected)
- English Language Public School Board Trustee (English Separate, French Public, French separate filed at alternative municipalities).

5.1.2. The nomination period for the 2022 Municipal and School Board Election begins on Monday, May 2, 2022 and continues until Nomination Day Friday, August 19, 2022. Nomination papers must be filed with the Clerk during regular business hours (8:30 a.m. to 4:30 pm) by appointment. On Nomination Day, nominations may be submitted only between the hours of 9:00 a.m. and 2:00 p.m.

5.1.3. If no nominations have been filed for the vacant office, additional nominations may be filed between 9:00 a.m. and 2:00 p.m. on August 24, 2022 using Form 1 as prescribed by the Act.

5.1.4. Nominations for municipal offices shall include at least twenty-five (25) endorsements, to be provided on the prescribed Endorsement of Nomination – Form 2.

5.1.5. The Clerk is entitled to rely upon the information filed by the candidate with regards to the required endorsements, it being noted that persons endorsing a nomination must be eligible to vote in an election for an office within the Town of Pelham on the day the person endorses the nomination.

- 5.1.6. Nominations shall be processed in accordance with the checklist prepared by the Clerk for receiving nominations.
- 5.1.7. The Clerk may, in writing, designate a person(s) authorized to receive nominations on their behalf.
- 5.1.8. A person filing a Nomination Form 1 shall provide proof of identity satisfactory to the Clerk or designate receiving the nomination. Accordingly, all candidates will be requested to provide suitable proof of identity and qualifying address when filing a nomination paper. Acceptable proof would be government-issued documentation or a combination of documentation that contains the name, signature and qualifying address of the candidate. Additionally, the Clerk may request proof of Canadian citizenship in the form of a birth certificate (with supporting photo identification), passport or citizenship card; however, it is acknowledged that the Declaration of Qualifications is a statement of Canadian citizenship.
- 5.1.9. An agent filing a Nomination Form 1 and Form 2 will be required to provide proof of personal identity and proof of the candidate's identity.
- 5.1.10. All sections of Form 1 must be completed by the candidate and, if applicable, the candidate's agent.
- 5.1.11. The Declaration of Qualification portion of Form 1 must be signed by the candidate. Original signatures are required.
- 5.1.12. It is the responsibility of the person being nominated to file a complete and accurate Form 1 – Nomination Paper.
- 5.1.13. The Clerk shall ensure that the printing of ballots correctly and accurately reflects the name of each candidate as it has been entered on Form 1.
- 5.1.14. Nominations shall include a minimum of twenty-five (25) endorsements - Form 2, providing clear and complete information to confirm the eligibility of endorsements. Original signatures are required. Each endorsement may

be on a separate page to reduce physical contact during the pandemic.

5.1.15. Nominations shall include a completed Declaration of Qualifications form, to be sworn/affirmed before the Clerk at the time of filing.

5.1.16. The Clerk or designate shall provide each candidate with the following documents:

- Ward Map(s);
- Provincial Candidate's Guide;
- Town of Pelham Candidates Guide;
- List of Polling Location and Dates;
- Vote Tabulator Procedure;
- Town of Pelham Election Sign By-law;
- Niagara Region Sign By-law;
- Guide for Scrutineers (appointment forms provided on request);
- Use of Corporate Resources Policy;
- Notice to Financial Institutions re: Campaign Account;
- Campaign Expense Limit Estimate;
  - i. Final certificates will be provided subsequently;
- Campaign Expense Limit Estimate - Own Contributions;
  - i. Final certificates will be provided subsequently;
- Campaign Expense Limit Estimate – Parties;
  - i. Final certificates will be provided subsequently;
- Guide to Accessible Elections;
- Candidates Consent to Release Personal Information;
- Notice of Penalties;
- Candidates Declaration – Proper Use of the Voters' List;
- Serving the Town as a Mayor or Councillor FAQ Sheet;
- Letter to Landlords, Agents, Condominium Corporations;

- Notice of Filing Requirements and Form 4 Financial Statement;
  - Duties of Candidates;
  - Candidate Access Portal User Guide; and
  - Special on Demand Vote by Mail Procedure.
- 5.1.17. A fee as required by the Act and the regulations thereunder shall be submitted at the time of filing Nomination Form 1 and Form 2. For the 2022 Municipal and School Board Election, the prescribed nomination filing fee for the Office of Mayor/Regional Councillor is \$200.00 and the Office(s) of Ward Councillor and/or School Board Trustee is \$100.00.
- 5.1.18. The fee shall be paid in cash, certified cheque or money order made payable to the Town of Pelham or electronically by debit transaction.
- 5.1.19. A receipt for the nomination fee shall be properly recorded by the Town Treasurer or their designate and posted to the applicable GL Account.
- 5.1.20. A copy of the receipt shall be maintained in the candidate's nomination file and one copy provided to the candidate.
- 5.1.21. Once the nomination is complete, the candidate's name and information as identified on the Consent to Release Personal Information form shall be published to the website and posted to the election notice board in the Town Hall lobby.
- 5.1.22. Physical file containing nomination papers shall be filed in the Clerk's possession alphabetically by surname.
- 5.2. Certification – Nomination Examination
- The Clerk will proceed in accordance with the Act Section 35 (1).
- 5.3. List of Nominations Received
- 5.3.1. The Clerk shall maintain for public inspection and may post on the Town website a list of nominations received for the

2022 Municipal and School Board Election. For purposes of public disclosure (including posting of the list on the municipality's website) candidates will be required to complete and sign a Consent to Release of Personal Information form at the time of filing of a nomination. Requests for information added to this consent to release shall be made in writing by the candidate.

- 5.3.2. Following certification by the Clerk, a list of certified candidates for the 2022 Municipal and School Board Election shall be posted in the front lobby of the Municipal Offices and on the Town website, in alphabetical order by surname for each of the offices to be elected.
  - 5.3.3. In the event of acclamations, in accordance with provisions under Section 37 of the Act, the Clerk shall declare the candidate(s) elected by acclamation and post notice of same on the website and in the front lobby of Pelham Town Hall.
  - 5.3.4. As soon as practical following the certification process, the Clerk shall have published a "Notice of Election Information" on the municipal Website and in a newspaper of sufficient circulation so as to inform the eligible electors of the Town of Pelham, in accordance with Section 40 of the Act specifically relating to the Ward in which there is a vacancy.
- 5.4. Campaign Fundraising/Expense
- 5.4.1. In accordance with Section 69 (a) of the Act the candidate shall open a campaign account at a financial institution.
  - 5.4.2. The account number and the name of the financial institution shall be provided to the Clerk by the candidate as soon as practicable after the nomination has been filed.
  - 5.4.3. The nomination fee is the only expense that may be paid from a source other than the campaign account.
  - 5.4.4. In accordance with Section 33.0.1 (1) of the Act, upon the filing of a person's nomination, the Clerk will provide the candidate or their agent a certificate of the applicable maximum amount of campaign expenses as of the filing date, which is based on the 2018 Municipal Election

Campaign Spending Limit. The Clerk will provide a final spending limit on, or before September 25, 2022, based on the voters' list from the current Municipal and School Board Election. The higher amount prevails.

#### 5.5. Withdrawal of Nomination

5.5.1. A person may withdraw their nomination before 2:00 p.m. on Friday, August 19, 2022 if the person filed the nomination on or before 2:00 p.m. on Nomination Day. A person may withdraw their nomination before 2:00 p.m. on Wednesday, August 24, 2022 if the person was nominated under subsection 33(5) – additional nominations.

5.5.2. A withdrawal of nomination must be in writing, shall clearly state the candidate's name and the office for which they are withdrawing their nomination and shall be signed by the candidate who is withdrawing and by their agent if applicable. All signatures shall be original and the Clerk may require the person filing the withdrawal of nomination to provide proof of identity.

## 6. Completion of Nomination Paperwork

### 6.1. Nomination Paper – Form 1

- Form 1 dictates how the name will appear on the ballot;
- Request identification and record on checklist – maintain photocopy in file (not public);
- Double check spelling of the name for accuracy;
- Candidate name cannot reference a designation (i.e., Dr., P. Eng., etc.);
- If the candidate wishes and Clerk agrees, another name that the candidate also uses may appear on the ballot instead of or in addition to legal name (i.e., James ... Jim);
- Double check the qualifying address to ensure it is within Pelham;
- This form no longer requires a commissioner;
- Before signing the "time" on Form 1, be sure to review the 25 endorsement forms, Form 2, and Declaration of Qualification, as the Form 1 nomination is incomplete without it;

- Confirm eligibility requirements for the 2022 Municipal and School Board Election;
- Complete the “date filed,” time filed (this is particularly important on Nomination Day) and have the nominee initial that they agree with the date and time, and then you sign to the right;
- Do not complete the “Certification by Clerk” – this is done after 2:00 pm on Nomination Day;
- Provide the candidate with a copy of the Form 1 nomination paper (they will need a copy for their financial institution).

#### 6.2. Endorsement of Nomination – Form 2

- The candidate must submit twenty-five (25) endorsements to accompany the nomination;
- While it is not the Clerk’s responsibility to check the voters’ list to ensure the twenty-five (25) people are qualified – there are penalties to individuals and candidates in this regard for false statements;
- The candidate must ensure that each block is completed with qualifying address, that there are no blanks and each space is signed;
- The Clerk or designate shall do a quick review to ensure that the addresses are within Pelham.

#### 6.3. Declaration of Qualifications

- Ensure the form is completed with name and indication for office;
- Ensure second √ for qualification statement;
- Ward should be completed for councillor on statement two (2);
- Ask if they have read the qualifications;
- Confirm eligibility;
  - If not found on VoterView, ask for proof of qualifying address, then complete and add to Voters List;
- Date it;
- Have candidate sign it; and
- Clerk or designate signs.



These are public documents and could be inspected by anyone requested to view.

## **7. Use of Corporate Resources for Election Purposes**

It is necessary to establish guidelines regarding the appropriate use of corporate resources during an election period to protect the interests of the Members of Council and the Corporation of the Town of Pelham. Corporate resources shall be provided to Members of Council for Council-related purposes and to serve their constituents during an election period, except where the provision of such resources may be seen to support an election campaign. The election period shall be defined as the period from submission of the nomination until the official results of said election have been declared by the Clerk and is further defined in Town of Pelham Policy S201-11, as amended.

The Act prohibits a municipality from making a contribution to a candidate. The Act also prohibits a candidate or someone acting on the candidate's behalf from accepting a contribution from a person who is not entitled to make a contribution. As a contribution may take the form of money, goods or services, any use by a Member of Council of the Corporation's resources for their election campaign would be viewed as a contribution by the municipality which is a violation of the Act. (See Policy P201-11 attached, Appendix A)

## **8. Information Requests**

A basic principle of election procedure is that candidates should be treated fairly and consistently within a municipality. To facilitate this, all candidate information requests will be directed through the Clerk's office. Responses to information requests will be made available to all candidates nominated at that time. Copies will be kept in an ongoing file to ensure that candidates who declare their intention later will be provided with a copy of all correspondence between the Clerk's office and nominated or confirmed candidates.

## **9. Additional Materials**

The voters' list will be provided to each certified candidate electronically through Candidate Access Portal. If candidates wish to obtain additional and/or printed copies of materials, the following charges will apply:

- Printed copy of the voters' list at \$0.25 per page; and
- Copy of the Town of Pelham Ward/Poll Map at \$5.00 each.

## 10. Voters' List

Certified candidates nominated in the 2022 Municipal and School Board Election will be provided the access to the voters' list through the Candidate Access Portal following Nomination Day on August 22, 2022.

Using the Candidate Access Portal, candidates may extract all or portions of the voters' list in Excel format. The list is to only be used for municipal election purposes. It is the responsibility of the candidate as to how the voters' list is used, not the responsibility of anyone on their campaign team. In the event of an acclamation, a copy will not be provided. Third Party Advertisers will not be provided a copy.

The voters' list is not a public document. Persons (eligible electors) may view the list in the Clerk's office during the time which the Town office is open or on the Town Website using the "Voter Lookup Service," but may only inspect their own information.

### 10.1. Revision Reports

Candidates may access revised versions of the voters' list at their request through the Candidate Access Portal. Revision reports may be requested every fifteen (15) minutes. Revision reports are beneficial to the candidate as they include: new additions, deletions, change of elector information, who voted at each advanced poll and the location/method of voting per elector.

## 11. Voters' List Revisions

### 11.1. Application to Add, Correct or Delete Own Information

The preliminary list of electors will be reproduced as the voters' list by September 1, 2022. The period for revision to the voters' list is from September 1, 2022 to the close of voting on Voting Day (October 24, 2022 at 8 p.m.).

Applications for revisions shall be done using the "Application to Amend Voters' List" and must be properly completed and signed by the applicant. Amendments may be made at the voting place during Advance Poll(s) or Voting Day.

Revision opportunities will take place at Town Hall, Clerk's Office, during normal business hours. Revision is also available during all Advance Polls. All reasonable attempts will be made to revise the voters' list for applications completed by September 1, 2022 to October 24, 2022.

Identification is required for additions or revisions to the voters' list. Anyone being added to the voters' list, either at the Clerk's Office during Advance Polls or on Voting Day, will be required to show proof of name, principal address and qualifying address (if not the same as principal address). They will also be required to swear a declaration stating their qualifications, including their Canadian Citizenship and confirming their eligibility as an elector. If the name is added at a polling place, the showing of identification for addition to the list does not replace the requirement to show identification to the deputy returning officer to receive a ballot and vote.

#### 11.2. Application to Remove another Person's Name

Applications to remove another person's name from the list may be made between September 1, 2022 and October 24, 2022.

Applications for removal of another person's name from the voters' list, must be on the form "Application for Removal of another's name from Voters' List," available in the Clerk's Office.

All revision forms or a summary in Excel format will be forwarded to the Municipal Property Assessment Corporation ("MPAC") following Voting Day. Although all reasonable attempts to ensure accuracy will be made, municipal staff cannot guarantee that changes made on the revision forms will meet with MPAC's criteria to permanently change the voters' list.

## 12. Candidate Meetings

Any information obtained by Town staff regarding meetings, debates, seminars, etc., that would be of interest to the candidates will be forwarded to the candidates via the e-mail address provided by the candidate. If the candidate does not have an e-mail address, the information will be sent by regular mail. Phone notification will only be used in the most time sensitive of situations, at the discretion of the Clerk. Information may also be provided to candidates via the Candidate Access Portal.

Candidate meetings shall not be initiated by the Town of Pelham. All relevant correspondence will be distributed by the Clerk to all candidates via e-mail or regular mail where no email address is provided.

### 13. Scrutineers

Subsection 16 (1) of the Act permits candidates to appoint scrutineers to represent them during the conduct of the vote. The appointment must be in writing using the form provided by the Clerk. Scrutineers will be required to present the appointment form to election officials at the voting place and to sign the attendance form upon arrival, and sign out when leaving the voting place. The poll supervisor will provide a name tag labeled "Scrutineer" upon arrival of the scrutineer, which is required to be worn in the polling place at all times and surrendered upon departure.

The Act prohibits campaigning in the voting place and allows the Clerk to define the boundaries of the voting place. A voting place shall be defined as the entire property of any polling location as designated by the Clerk, and as is consistent with the Election Signs By-law, no election sign shall be erected on the property where a polling facility is located or within 60 metres (197 feet) of a polling station. This shall also apply to any vehicle containing an election sign. No vehicle containing an election sign visible to the outside or on the outside of a vehicle shall park in any voting place.

If using scrutineers, the following rules shall apply:

- There is a limit of one (1) scrutineer per candidate per vote tabulating machine;
- The number of scrutineers in any one polling location for any one candidate is reduced by one if the candidate is in the polling location;
- Section 49 of the Act requires that all persons present in a voting place must maintain the secrecy of the vote. Candidates and their scrutineers will be required to take an oath of secrecy;
- Scrutineers may not interfere with the activity of the vote;
- A scrutineer will not be allowed to enter a polling station after the close of the poll (8 p.m.). Further, if a scrutineer leaves a polling location after the close of poll they will not be allowed to return to the polling station;
- The use of a cell phone or any electronic device by a scrutineer is prohibited within the polling station;
- Scrutineers will be given a badge to wear identifying themselves to a deputy returning officer, election official or poll supervisor within the polling station. No other identification shall be worn by the scrutineer nor shall they wear, or hold in their possession, anything

that would visibly identify a candidate while they are in the voting place (which includes anywhere on the property of such a voting place);

- Scrutineers are not permitted to touch the voters' list or the ballots;
- Scrutineers shall remain in the area designated for them within the polling station. Scrutineers shall not situate themselves in the area between issuance of ballots and the voting booths, in the area of the voting booths, or in the area between the voting booths and the vote tabulating equipment; and
- Scrutineers will be required to follow all Public Health recommendations related to the COVID-19 pandemic, if applicable.

The Clerk is responsible for "maintaining peace and order" and may so empower a deputy returning officer and/or poll supervisor. A deputy returning officer or poll supervisor may remove any person causing a disturbance from the voting place or for failure to comply with any applicable Public Health requirements during a pandemic. This applies to a voter, scrutineer, candidate, member of the media, etc. The Poll supervisor is designated this responsibility in the absence of the Clerk. In accordance with Section 11 of The Act, the Clerk may require the assistance of persons specially appointed to aid in maintaining peace and order. Through this policy, the Clerk hereby empowers a poll supervisor.

#### **14. Mandatory Notices**

The Clerk is required under the Act to give notice of nominations (offices and procedures), notice of any by-law or question on the ballot, and provide information to electors about voting dates and hours, polling locations and how to vote using alternative voting methods, such as AccuVote. The manner and format of the notices is left to the discretion of the Clerk. All notices will be posted on the Town website. Mandatory notices will also be posted, at least once, in a local newspaper with broad Pelham distribution.

#### **15. Discretionary Notices**

The Clerk will use a variety of outreach methods to provide electors with information about voting procedures, requirements and opportunities. These methods will include but are not limited to the following:

- Envelopes containing the municipal election logo will be utilized where possible in 2022 to raise awareness of the upcoming municipal election, as well as provide electors with the URL to the Town's election webpage;

- Preliminary information on the 2022 Municipal and School Board Election will be distributed via neighborhood mail-out in April to raise awareness of the upcoming election with emphasis on becoming a candidate, joining the election team and Voting Day as well as unveiling the new election QR code;
- Candidates Night, held on April 28, 2022 at the Meridian Community Centre, will feature a Town of Pelham booth containing election-related information for candidates and voters;
- Advertisements will be placed in the newspaper from time to time;
- Social media posts using the Town of Pelham accounts will be made, as arranged through the communications specialist;
- A tax bill insert will be distributed in June providing more detailed information on becoming a candidate, joining the election team and voting information for advanced polls, Voting Day and the alternative voting method;
- Clerk's staff will be positioned weekly at the Pelham Farmers Market throughout September to provide electors with information, as well as make updates and additions to the Voters' List;
- A voter notification package will be mailed to each voter on the voters' list for the 2022 Municipal and School Board Election. The package will serve to advise the voter of the dates, hours and locations for Voting Day and advance voting opportunities. While this mailed notification is no longer a mandatory requirement of the Act, it assists in directing electors as to where they go to vote and serves as a reminder that Voting Day is approaching;
- The Town website will be used to provide updated information to both electors and candidates about all aspects of the 2022 Municipal and School Election.

## 16. Ballots

The Clerk's office will request a quotation from suppliers for printing the ballots for the 2022 Municipal and School Board Election.

Candidates' names will be listed in alphabetical order by last name [s. 41(2)2]. Their first name will appear first in lower case letters, followed by their surname in upper case letters. The elector will fill in the oval next to the candidate(s) for whom the elector wishes to vote.

Section 41 (2) (3) of the Act, states: - "If the candidate wishes and the Clerk agrees, another name that the candidate also uses may appear on the ballot instead of or in addition to his or her legal name." The Clerk will only allow another name if, in the opinion of the Clerk, the candidate is commonly known by that name and the name is a derivative of or part of the name shown on the identification documentation provided by the candidate. The decision of the Clerk is final. All candidates must have a surname and given name or names on the ballot. As per the Act, Section 41 (2), no reference to a candidate's occupation, degree, title, honour or decoration shall appear on the ballot.

## **17. Procedure for Ballot Testing**

Once ballots have been printed and received from the printing house, a test deck shall be prepared and tested on each vote tabulating machine. Every ballot printed shall be entered into a ballot distribution spreadsheet and securely stored in the Miclette Room at Town Hall. A test deck must include samples of blank ballots, under-voted ballots, over-voted ballots and properly completed ballots. Ballot testing is separate and apart from the diagnostic testing conducted on the AccuVote tabulators. The test shall be conducted as follows:

- Assign a varying number of votes to a pre-audited group of ballots, marked with the designated ballot marking pen in the designated area;
- Manually count each valid vote and record the results;
- Process the pre-audited ballots using the vote tabulator;
- Compare output of the tabulator with pre-audited results; and
- Repeat the test using the same ballots for every vote tabulator and for every programmed memory card assigned to a voting place.

## **18. Website**

An election webpage will be hosted on the Town of Pelham website, [www.pelham.ca](http://www.pelham.ca). This is considered an effective way to provide pertinent election information to all stakeholders.

The page will provide general election information to assist electors and candidates. Identification requirements to vote, locations of advance and regular polls, ward/poll maps, the revision period process, how to get added to the list and access to forms will be available on the site.

Information of benefit to candidates such as links to legislation, guides

and forms concerning the nomination process and responsibilities under the Act, etc., will also be available.

The website will post a listing of candidates running for each office. The names of candidates, along with additional contact information as authorized by the "Consent to Release of Personal Information" form will appear as soon as practical after they have filed a nomination paper. The names will appear in alphabetical order by last name. Following nomination day and the certification of eligible candidates a list of certified candidates will replace this list.

Instructions for the On Demand Special Ballot option for electors will also be included on the Town's election webpage.

## 19. Election Results

The results provided by the Clerk's office on election night are unofficial results. The unofficial results will be available:

- Live calculation (as reported by each Polling Station) on an Excel spreadsheet on the Town website [www.pelham.ca](http://www.pelham.ca);
- On a display board at Town Hall;
- Scrutineers may copy the results of the AccuVote tape at a voting place. Correctness of the copied results is the responsibility of the scrutineer/candidate. Additional tapes will not be provided for candidates or scrutineers;
- Additional procedures shall be made available through the Special on Demand Vote by Mail Procedure, Appendix H.; and
- During generation of Advance Vote results, the only persons permitted to be present shall include appointed municipal staff, election official(s), candidates or scrutineers. Members of the public and media shall not be permitted.

The Clerk will declare the official results on Tuesday, October 25, 2022 or as soon as possible thereafter [MEA, 55(3)]. These results will be available at the Clerk's office and will be posted to the Town website.

## 20. Accessible Election(s)

Section 45 (2) of the Act provides that in establishing voting locations, the Clerk shall ensure that each voting place is accessible to electors with disabilities. While the Act does not define "accessible," the Clerk should consider the built environment standard both inside and outside of voting



locations. Further, the *Ontarians with Disabilities Act* also influences how the needs of electors shall be met.

The Clerk's office has developed a Guide to Accessible Elections, attached as Appendix B, which will apply to the 2022 Municipal and School Board. The focus of this plan is to ensure that legislative responsibilities are met, and the goal is to progress toward a barrier-free election experience for all stakeholders. The 2022 guide has been approved by the Town of Pelham's accessibility consultant.

## 21. Voting Places

A voting place shall be defined as the property 60 metres from any polling station as designated by the Clerk. A polling station is deemed by the Clerk to include the entire building and the property on which voting is taking place. Therefore, the polling station or voting place is defined as follows:

- A place at or in which votes in an election are cast, including the lobby, store/business front, main floor in its entirety, designated room or any elevators and the outside property, including fences;
- In community centres, halls, schools or churches where voting is taking place: anywhere on the property, including parking lots, fields and fences; and
- Media presence shall not be permitted within the building where voting is taking place. Conducting exit polling of electors shall be prohibited at the Voting Place altogether, during Advance Votes and/or on Voting Day.

## 22. Election Workers

Election workers at each polling location will consist of a poll supervisor; deputy returning officer(s); revisions deputy returning officer, information clerk(s), vote tabulator operator and a polling station cleaner. The use of "floating" deputy returning officer(s) may also be incorporated to assist at the larger polling stations during peak times at the discretion of the Clerk. Specifically relating to the ongoing COVID-19 pandemic, a polling station cleaner has been added to periodically sanitize tables, surfaces and high touch points

All applicants interested in working the 2022 Municipal and School Board Election will be required to complete an application form for review by the Clerk's office. Election workers will be required to swear an oath indicating that they will perform their job in an impartial manner.

Candidates, the candidate's spouse, a member of a candidate's immediate family or a person connected to a candidate's election campaign (to the best of the knowledge of Clerk's department staff), will not be hired as election personnel in any capacity. Persons associated with a Third Party Advertising campaign will also not be considered for recruitment as election personnel. Town of Pelham residents will be given first priority for recruitment.

It is the responsibility of the election worker to have transportation to and from their appointed polling station. Every effort will be made to appoint staff to a voting place in their Ward.

Attendance at a training session is mandatory for all election workers. To enhance the retention of information, training will occur as close to Voting Day as possible. Comprehensive training manuals will be made available for all election staff covering all job responsibilities and potential situations that may arise. All election workers will also be provided with accessible customer service training.

Training may consist of the showing of a video or PowerPoint presentation, a lecture which may be conducted via Zoom or other electronic technology, hands-on practice with certain activities where practical and a question-and-answer session. The format of training shall be at the discretion of the Clerk and will be influenced by the pandemic situation at that time. To ensure a thorough and complete training opportunity is provided, specific roles will be trained separately as follows: (1) deputy returning officers and revision deputy returning officers; (2) information clerks and polling station cleaners; and (3) vote tabulator operators. Poll supervisors shall attend each training session.

In order to ensure that Voting Day runs as smoothly as possible, the Clerk has the ability to appoint election workers as necessary.

All election workers will be required to swear an oath. Deputy returning officers and revisions deputy returning officers will take the Appointment and Oath of Deputy Returning Officer. All other workers will take the Appointment and Oath of Election Official. Poll supervisors will also take Deputy Returning Officer Oath.

### 22.1. Election Day

All election workers must arrive at their voting place at least 60 minutes before the opening of poll, save and except institutional voting teams, if applicable. Poll supervisors will be required to notify the Clerk if any election workers have failed to report to their location.

Immediately, the Clerk will replace those who have not shown up on time with standby workers. Failure to report to the assigned voting location will result in forfeiture of the employment opportunity and payment will not be forthcoming. Relief election workers who have been trained will be called in to replace the worker.

## 22.2. Processing Electors

In advance, the deputy returning officer shall initial several ballots as provided by the Clerk. There is a specific outlined box on the back of the ballots for the deputy returning officer initials.

When an elector enters the voting place to receive a ballot, they shall be greeted by the information clerk who shall ask the elector to prepare their identification and voter notification card. If the elector does not present a voter notification card, the information clerk or poll supervisor will determine if the individual's name is on the voters' list. If the individual is not on the list or their information needs correcting, they will be directed to the revisions deputy returning officer who can determine how and if they can be added to the list. Otherwise, electors will be directed to a single-line and access the next available deputy returning officer. Physical distancing will be strongly encouraged. The set-up and facilitation of the polling station shall be conducted in accordance with COVID-19 regulations as per the Province of Ontario and Niagara Regional Health, if applicable.

An elector must be a Canadian citizen in order to vote in accordance with the Act. If the voter's name does not appear on the voters' list, but the voter has an approved Application to Amend the Voters' List, the revisions deputy returning officer shall add the voter's name, address and school support information to the voters' list.

Identification proving an elector's identity and principal residence must be shown to the deputy returning officer at a polling station in order to receive a ballot. A list of acceptable identification has been defined by the Ministry in O. Reg. 304/13. Some points to remember with respect to this identification are as follows:

- Documents must be the originals or certified/notarized copies;
- Document expiration date is of no concern;
- If the elector provides two pieces of identification, the documents must be issued by two independent sources (e.g., bank statements from the same bank for two different months are not sufficient);
- Photocopies (uncertified) are not valid;

- The voter notification card cannot be used as the sole proof of identity or address;
- Documents in electronic format (e.g., telephone bill, electricity bill) printed by the elector are not valid;
- If the document does not prove the elector's residence, but the address is consistent with information that appears on the list of electors, they are considered to have proved their residence; and
- An Ontario Health Card that does not have the qualifying address (photo card) is only acceptable if a second identification is presented showing the qualifying address.

If acceptable identification cannot be produced, an eligible elector can complete the prescribed form "Declaration of Identity – Form 9" in satisfaction of this requirement. The deputy returning officer will then issue the voter a ballot.

Each deputy returning officer will be issued a laptop equipped with an electronic voters' list for the Town of Pelham, together with a scanning wand. Additional procedures shall be made available through the Pelham election team: Deputy Returning Officer Guide, Appendix F.

Once a ballot has been issued to the elector, the elector will be asked to proceed behind a voting screen and fill in the oval beside the candidate(s) of their choice. Electors will be reminded to place the ballot in the secrecy sleeve and proceed to the vote tabulator operator for processing of the ballot. Each elector will be provided a one-time-only use pen to mark the ballot.

If an elector feels that they have spoiled their ballot they may return the ballot to the deputy returning officer who issued the ballot to exchange for a new ballot. The first ballot then becomes a spoiled ballot and is placed in the appropriate envelope by the deputy returning officer and a new ballot may be issued. A record is to be maintained in the "comment" section of the electronic voters' list as well as on the balance tally sheet. A "front-of-the-line" process will be initiated whereby the poll supervisor will escort the voter to the applicable deputy returning officer line to obtain a replacement ballot. This should serve to alleviate frustration and delays on behalf of voters who have erred in marking their ballot or if a machine error occurs. An elector is entitled to receive only one replacement ballot. Once the

ballot goes through the vote tabulator, the voter shall not receive another ballot for any reason.

When the voter is satisfied that they have completed marking their ballot, they return it to the secrecy folder, so that the deputy returning officer's initials are showing and proceed to the vote tabulator operator, where the ballot is processed. The voter is now finished and may leave.

At no time may a voter leave the voting place with a ballot. This is considered a corrupt practice and the voter is subject to penalty.

## 23. Advanced Voting

Section 43 (1) of the Act requires the municipality to hold an advance vote on one or more dates.

In accordance with subsection 43 (2), the Clerk has established the following dates, times and locations as advance Voting Days. These dates have been chosen to provide additional voting opportunities to electors who cannot vote on Voting Day and to minimize the number of electors in a voting place at any given time.

<b>Date</b>	<b>Location</b>	<b>Polling Subdivision</b>
Saturday, October 1, 2022 10:00 am – 8:00 pm	Pelham Fire Station #2 766 Welland Road	All Wards; All Polls Advance Voting
Saturday, October 15, 2022 10:00 am – 8:00 pm	Pelham Meridian Community Centre (MCC) – Accursi Room 100 Meridian Way	All Wards; All Polls Advance Voting
Tuesday, October 18, 2022 10:00 am – 8:00 pm	Old Pelham Town Hall 491 Canboro Road	All Wards; All Polls Advance Voting

### 23.1. Advance Voting Results

The total of votes cast at any advance vote shall not be made available until after 8:00 p.m. on Voting Day. For this purpose, the Deputy Clerk or designate, shall attend the Town of Pelham Municipal Office to generate the results tape and report the results to the Clerk.

Candidates or their representatives may attend this process, which shall take place in the Milette Room at the Town of Pelham Municipal Office.

To safeguard the memory cards from each advance voting polling station, at the close of voting the vote tabulator operator shall be instructed to remove the memory card from the AccuVote tabulator, place it in the envelope provided together with the separate zero totals report and seal the envelope. The vote tabulator operator, poll supervisor, any candidate or representative present and the Clerk shall initial over the seal, and the Clerk shall date the envelope. The envelopes will be stored by the Clerk in the fireproof cabinet situated in the Clerk's office and shall not be removed until after 8:00 on Voting Day. The zero totals report that is intact with the roll paper for the AccuVote shall be removed and stored with the memory card for safekeeping.

Tabulation of the results from advance voting will occur after 8:00 p.m. on Voting Day and shall begin with verification that the memory cards have remained intact in the sealed envelope. The memory cards will then be inserted into the AccuVote by the Deputy Clerk or designate, as well as the zero totals and roll paper that corresponds with the memory card. This shall be conducted in the Miclette Room at the Town of Pelham Municipal Office, in the presence of any candidate or representative appointed in writing.

## **24. Special on Demand Vote by Mail**

Any On Demand Special Ballots received will be processed at this time, using the advance voting AccuVote from the Fire Station #2, October 1, 2022 date. The On Demand Special Ballots will be processed prior to the ender card initiation.

Following processing of the On Demand Special Ballots, the Deputy Clerk or designate will proceed with the ender card process and tabulation of results for all advance votes by printing the results tape and reporting the results to the Clerk.

Additional procedures shall be made available through the Special on Demand Vote by Mail Procedure, Appendix H and Pelham Election Team: Vote Tabulator Operator Guide, Appendix G.

The Special on Demand Vote by Mail procedure has replaced the use of proxy voting for the 2022 Municipal and School Board Election.

## **25. Compliance Audit Committee**

Pursuant to Section 88.37, all municipal councils and local boards must appoint a Compliance Audit Committee. This committee must be

appointed before October 1<sup>st</sup> and is to be comprised of three to seven members, and shall not include:

- Employees or officers of the municipality or local board;
- Members of the council or local board;
- Any persons who are candidates in the election for which the committee is established; or
- Any persons who are registered third parties in the municipality in the election for which the committee is established.

The Clerk's office establishes the administrative practices and procedures for this committee and carries out any other duties required to implement the committee's decisions. The term of office for the committee is the same as the term of office of the council or local board and for any municipal elections that occur during that time. The Town of Pelham is participating in the establishment of a Joint Compliance Audit Committee with other area municipalities, the Regional Municipality of Niagara and the District School Board of Niagara.

## **26. Emergency Situations**

The Clerk may declare an emergency if the Clerk is of the opinion that circumstances arising are likely to prevent the election from being conducted in accordance with the Act, in relation to the conduct of the vote and also to any aspect of the election process.

When declaring an emergency, the Clerk shall make such arrangements the Clerk considers advisable in order to conduct the election. The emergency continues until the Clerk declares that it has ended. This may be done in consultation with the Chief Administrative Officer and/or Fire Chief, depending on the type of emergency taking place.

Declaration of an emergency shall be made in good faith giving due consideration to impact on all stakeholders.

Guidelines for Responding to Emergency Situations are outlined in a separate procedure, attached as Appendix C. Special provisions during the COVID-19 pandemic have been considered.

## **27. Recount Procedure**

### **27.1. Tied Vote Recount**

Where there is a tied vote for the election of a candidate to an office and both or all of the candidates cannot be declared elected, or where

there is a tied vote on a by-law or question, the Clerk must hold a recount within fifteen (15) days after the declaration of the results of the election. Conduct of the recount shall be in full compliance with the Act.

#### 27.2. Council, Local Board or Minister Requisition for Recount

- Within thirty (30) days after the Clerk's declaration of the results, the council or local board may pass a resolution, or the Minister may make an order requiring a recount for a question on the ballot submitted by him or her;
- There is no longer a formula for calculating automatic recounts due to a close vote. The candidate who was not elected by a close margin or an eligible elector, may request the council or the local board, as the case may be, to pass a resolution directing that a recount be held. The resolution must be passed within thirty (30) days from the date of the Clerk's official declaration of the results;
- Once a resolution has been passed, the Clerk has fifteen (15) days in which to hold a recount.

#### 27.3. Application to Ontario Court (General Division)

- A person who is entitled to vote in an election and who has reasonable grounds for believing the election results to be in doubt may apply to the Superior Court of Justice for an order that the Clerk hold a recount;
- The application must be commenced within thirty (30) days after the Clerk's official declaration of the results of the election;
- The court, if satisfied there are sufficient grounds, shall make an order requiring the Clerk to hold a recount; and
- The recount is to be held within fifteen (15) days after the day the Clerk receives a copy of the order.

Refer to Appendix I for Specific Recount Procedure.

## **28. Procedure for Roving Polling Station for Institutional Voting**

The Town of Pelham has three (3) institutions that are entitled to have voting locations within the institution: Lookout Ridge Retirement Community and Shorthills Villa Retirement Community in Ward Two and Woodlands of Sunset Home for the Aged in Ward Three. Two teams of



election personnel will facilitate the voting at these separate locations. Voting times will be reduced. Lookout Ridge will be held between the hours of 9:00 a.m. and 12:00 p.m., whereafter the same team will proceed to Shorthills Villa Retirement Community for voting between the hours of 1:30 p.m. and 3:30 p.m. Woodlands of Sunset voting will be held between the hours of 9:00 a.m. and 11:00 a.m.

One team of election personnel will be required to retrieve a vote tabulating machine for Lookout/Shorthills and a separate team will be assigned a vote tabulator for Woodlands of Sunset. Sufficient ballots, one ballot box per institution and election supplies from the Clerk's office will be provided to each team. A separate memory card and ballot box will be provided for each of the institutions. Alternatively, one memory card may be programmed to incorporate both Ward Two institutions to reduce any potential for error. This will be determined by the Clerk.

Separate ballot boxes will be used for each institution and all procedures for securing the ballot box at the close of voting for that institution will be in accordance with the standard procedures, using the seals provided by the Clerk. Ballot boxes shall be returned to Town Hall immediately following the close of each separate voting event; i.e., Lookout Ridge Ballot Box shall be returned to Town Hall on route to Shorthills Villa. The ballot box containing voted ballots shall not remain in the vehicle of election workers except for transporting directly to Town Hall.

The results tape will be generated by the Deputy Clerk or designate, in the presence of any candidate or scrutineer.

## **29. Discretionary Authority**

In addition to the Clerk, the person responsible for the exercise of the discretionary authority in all areas relating to the 2022 Municipal and School Board Election for the Town of Pelham is Sarah Leach, Deputy Returning Officer/Assistant Returning Officer.

The Clerk shall determine and approve all forms and declarations to be used to conduct the 2022 Municipal and School Board Election.

## **30. Manuals for Election Officials**

The Clerk shall prepare and distribute Pelham election team guides for the poll supervisor, deputy returning officer and vote tabulator operator positions. The materials will be circulated as part of the election worker training exercise. A copy of all manuals is appended to this document. See Appendix E, F and G.

## **31. Appendices**

Appendix A – Policy 201-11 Use of Corporate Resources for Election Purposes

Appendix B – Guide to Accessible Elections

Appendix C – Policies and Procedures Governing Response to Emergency Situations

Appendix D – Policies and Procedures for Conducting a Recount

Appendix E – Pelham Election Team: Poll Supervisor Guide

Appendix F – Pelham Election Team: Deputy Returning Officer Guide

Appendix G – Pelham Election Team: Vote Tabulator Guide

Appendix H – Special on Demand Vote by Mail Procedure

Appendix I – Town of Pelham Candidate Guide

Appendix J – Town of Pelham Third Party Advertiser Guide

Appendix K - Candidate Access Portal User Guide

Appendix L – Vote Tabulator Procedure

Appendix M – Town of Pelham Sign By-law



<b>Policy Name: Use of Corporate Resources for Election Purposes</b>	<b>Policy No: S201-11</b>
Committee approval date:	November 20, 2017
Council approval date:	December 4, 2017
Revision date(s):	April 4, 2022
Department/Division:	Council

### 1. Purpose

This policy provides Town of Pelham Councillors, Candidates, Staff and Town Volunteers with guidelines on the use of Corporate Resources for election purposes to ensure compliance with the Council Code of Conduct, the *Municipal Elections Act, 1996*, (the "Act") as amended, and other applicable federal and provincial legislation. This policy should be interpreted as a general prohibition against the use of Corporate Resources for any election-related purpose.

### 2. Policy Statement

Members of Council are required to conduct themselves in accordance with the Act. The use of Corporate Resources, both actual municipal property and Staff time, for election-related activity is strictly prohibited. The prohibition applies to both the promotion and opposition to the candidacy of a person for elected office. Election-related activity applies not only to a Candidate's personal campaign for office, but also other campaigns for municipal, provincial and federal office.

This policy clarifies that all election Candidates, including members of Town Council, are required to follow the provisions of the Act, and that:

- i. No Candidate shall use Town facilities, equipment, supplies, services, Staff or other resources of the Town for any election campaign or campaign-related activities;
- ii. No Candidate shall undertake campaign-related activities on Town property or at Town events; and
- iii. No Candidate shall use the services of persons during hours in which those persons receive any compensation from the Town. This policy does not preclude a Member of Council from performing their duties as a Councillor, nor inhibit them from representing the interests of their constituents.



### 3. Definitions

- 3.1. **“Act” or “The Act”** means the *Municipal Elections Act, 1996*, as amended from time to time, and includes any regulation made thereunder.
- 3.2. **“Blackout Period”** refers to the temporary period from the day upon which a Candidate has filed their nomination up to and including Election Day, during which time certain privileges are discontinued for Members of Council, the Mayor and any Registered Candidate.
- 3.3. **“Candidate” or “Registered Candidate”** means a person who is running in a municipal, provincial or federal election, and shall be deemed to include a person seeking to influence other persons to vote for or against any Candidate or any question or by-law submitted to the electors under section 8 of the Act.
- 3.4. **“Campaigning”** means any activity by, on behalf of, or in opposition to a Candidate, political party or ballot question during an election Campaign Period that is meant to elicit support or opposition, including display of Campaign Material.
- 3.5. **“Campaign Material”** means material in any media (i.e., print, radio, television, website and Social Media) used to promote or oppose a Candidate, political party or ballot question. Campaign Material includes, but is not limited to, banners, literature, posters, place cards/signs, buttons/pins, clothing, car wraps, etc.
- 3.6. **“Campaign Period”** commences on the date a Candidate files their nomination paper, and extends through to December 31 of the election year (45 days after voting in the case of a by-election). For a federal or provincial election, the Campaign Period begins with the issuance of the Writ through to Voting Day.
- 3.7. **“Clerk” or “Town Clerk”** means the Clerk of the Town of Pelham, or their designate.
- 3.8. **“Corporate Resources”** includes, but is not limited to, the Town of Pelham’s Employees, events, funds, information, Information Technology\* (IT) Resources/application and Corporate assets.



- 3.9.** “**Election Period**” begins on the first day upon which nominations may be filed and extends through to Voting Day, the third Monday in October, during a regular election year.
- 3.10.** “**Employees**” or “**Staff**” includes full-time, part-time and contract Employees paid by the Corporation of the Town of Pelham.
- 3.11.** “**Facility**” means any property under the care and control of the Town, including property owned, leased, occupied or used by the Town, including by not limited to libraries, community centres, meeting rooms, lobbies, banquet spaces, gymnasiums, sports fields, parks, pools, arenas and associated parking areas, etc.
- 3.12.** “**Information Technology (IT) Resources**” means Town-owned or issued IT Resources, including but not limited to:
- i. Hardware such as laptops, tablets, portable and computing devices and related peripherals, and wireless communication devices (e.g., smart phones, cell phones, etc.);
  - ii. All internet and email systems, including websites or domain names that are funded by the municipality;
  - iii. Electronic data transmission equipment, devices and networks;
  - iv. Business systems and services and all Town-managed data and software (i.e., Public Service Request);
  - v. All types of telephone, radio and other audio/voice or audio/visual communication equipment, devices and networks, including voicemail;
  - vi. Local and network storage media used in the operation of these resources, including but not limited to, CD’s, tape media, paper, USB, flash memory, flash drives, external hard drive, cloud storage, etc.;
  - vii. Data, information and other work products such as computer programs, databases, spreadsheets, etc.; and
  - viii. This is deemed to include Town data and information accessed, stored, created, processed, transmitted or filed in a personal electronic device.
- 3.13.** “**Nomination Day**” for a regular municipal election or by-election is the date determined in accordance with the Act.



- 3.14.** “**Social Media**” means publically-available, third party-hosted, interactive web technologies used to produce, post and interact through text, images, video and audio to inform, share, promote, collaborate or network. Examples include blogs, podcasts, Facebook, Twitter, Instagram, Bang the Table etc.
- 3.15.** “**Town**” or “**Town of Pelham**” means the Corporation of the Town of Pelham.
- 3.16.** “**Registered Third Party Advertiser**” or “**Third Party Advertiser**” means a person or entity, who is not a Candidate, who has registered with the Clerk to engage in political advertising, to support, promote or oppose a Candidate or a yes or no question on the ballot.
- 3.17.** “**Voting Day**” means:
- i. For a municipal election, the day on which the final vote is taken as the date set out in the Act; and
  - ii. For a provincial or federal election or by-election, the day set out according to the *Elections Act* (provincial) and *Canada Elections Act* (federal).

#### **4. General Provisions**

- 4.1.** That in accordance with the provisions of the Act, Corporate Resources and/or funding may not be used for any election-related purposes.
- 4.2.** Staff shall not canvas or actively work in support of a municipal Candidate or party during normal working hours, unless they are on a leave of absence without pay, lieu time or vacation leave.
- 4.3.** All Registered Candidates may not book/use any municipally-provided facilities for any election-related purposes, which includes Campaigning, the displaying of any campaign-related signs in the window or on the premises, as well as displaying any election-related material in any municipal office, Municipal Transit vehicles or on the municipal website, or conduct any campaign-related activities during municipally-sponsored events or meetings. Campaigning or campaign booths are not permitted at Town Events. For clarity this includes any Town of Pelham event held on or off



Town property.

- 4.4.** The following shall be discontinued for all Members of Council and Registered Candidates or Third Party Advertisers during the Blackout Period:
- i. Advertising in municipal publications or on municipally-owned property;
  - ii. All printing, photocopying and distribution, unless so directed and approved by Council;
  - iii. Use of the Public Service Request (PSR) platform to enter requests on behalf of any resident; and
  - iv. Contacting municipal Staff to request attention to a matter raised by a constituent during a campaign-related event, including door-to-door Campaigning.
- 4.5.** Members of Council shall not:
- i. Print or distribute any material paid by municipal funds that illustrates that a Member of Council or any other individual is registered in any election or where they will be running for office;
  - ii. Profile (name or photograph) or make reference to, in any material paid by municipal funds, any individual who is registered as a Candidate in any election;
  - iii. Print or distribute any material using municipal funds that makes reference to, or contains the names or photographs, or identifies Registered Candidates for municipal elections (Minutes of Municipal Council and Committee meetings are exempt from this policy);
  - iv. Enter into joint ventures using municipal funds outside their existing wards during the Blackout Period, unless specifically approved by Council (i.e., Memorial Events). Where such an event is scheduled, Members of Council may attend to bring greetings from the Town, but Campaigning is not permitted; and
  - v. Use the Town's IT Resources, including Social Media accounts, for any election campaign or campaign-related activities.



- 4.6.** Website or domain names that are funded by the municipality may not include any election-related Campaign Material.
- 4.7.** Members of Council may not use the municipality's voicemail system to record election-related messages.
- 4.8.** The policies contained herein also apply to an acclaimed Candidate(s), a Member of Council not seeking re-election, or to a Registered Third Party.
- 4.9.** Campaign Materials are not permitted to be placed on community bulletin boards in Town libraries or other facilities, at any location marked as a voting location and may not be worn/displayed when carrying out the duties of an office, including Town Staff during working hours. Campaign Materials will be required to be removed from non-municipal voting places once advance polling or voting commences. A car "wrapped" to reference a Candidate or containing campaign signs may be covered or removed from the parking lot of the polling location, whereupon recovery will be at the expense of the Candidate.
- 4.10.** The Town's logos are registered trademarks and owned by the Town of Pelham. Use of the Town branding materials is reserved exclusively by the Town for its own use. Candidates must not, under any circumstances, use a Town logo or any variation of it on any Campaign Material, Election Sign, Social Media or campaign website.
- 4.11.** Election procedures prohibit the use of cameras inside a polling location; however, a Candidate is permitted to be photographed entering the polling location.
- 4.12.** Election signs cannot be posted on Town property and are permitted only in accordance with the Region of Niagara Sign By-Law and the Town's Sign By-law.
- 4.13.** The Clerk is authorized and directed to take the necessary action to give effect to this policy.



**MUNICIPAL  
ELECTION**  
**October 24 2022**



# **Guide to Accessible Elections**



**Accessibility**

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## Information

The Clerk is responsible for the proper legislative and administrative conduct of municipal elections in the Town of Pelham. In accordance with the *Municipal Elections Act, 1996* and the *Accessibility for Ontarians with Disabilities Act, 2001*, the Clerk is authorized to establish procedures and implement appropriate measures, within budgetary limits, to provide persons with disabilities the opportunity to participate fully in Municipal Elections. Accordingly, the 2022 Municipal Election will be conducted in such a manner to ensure that:

1. Candidates and electors with disabilities have reasonable access to all election information and services;
2. Persons with disabilities have full access to Voting Places;
3. Persons with disabilities have access to alternative methods of voting assistance that will permit them to vote independently and privately mark their ballot and, in the event their disability cannot be accommodated through such alternative methods as are provided, a person with disabilities will have access to assistance from an Election Official who has received accessible customer service training in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*;
4. Feedback regarding the conduct of previous Municipal Elections from persons with disabilities is collected and documented so that in future Municipal Elections, available resources for the accommodation of persons with disabilities can be effectively directed to best satisfy community needs.

In accordance with Subsection 12.1(3) of the *Municipal Elections Act, 1996*, following the election, the Clerk will submit a report to Council concerning the identification, removal and prevention of barriers that affect electors and candidates with disabilities. The report will include specific recommendations for further initiatives to ensure that, in future, persons with all types of disability are able to independently and privately mark their ballots.

## **Staff Training**

All staff carrying out election duties will be trained to recognize and ensure that persons with disabilities are served in a way that accommodates their needs. Training will include:

1. How to interact and communicate with persons with various types of disability;
2. How to interact with persons with disabilities who use assistive devices or require the assistance of a service animal or support person;
3. How to use voting equipment, and assistive devices to deliver election services;
4. What to do if a person is having difficulty accessing election information or services.

## **Provision of Election Information**

All reasonable efforts will be made to ensure that candidates and electors with disabilities are able to receive information and copies of election documents in a format that takes into account their disability. The format may be agreed upon between the requester and the Town Clerk. Notice of this provision is located on the Town's Website which can be found at [www.pelham.ca](http://www.pelham.ca) and is included in election notices placed in the local newspaper. In addition, candidates with disabilities may access the election information available on the Town's Website using personal assistive technology such as screen readers. Instructions for increasing the font size of election documents is available on the Town's Website.

## **Notice of Temporary Disruption**

If there is a temporary disruption in the delivery of election information or services, the Office of the Clerk shall provide public notice on the Town's Website, at the physical site of the disruption and when possible in the local media. The notice shall include the reason for the disruption, anticipated duration and a description of alternative methods of delivering the information or service. Every effort shall be made to provide alternative methods for the provision of information or service to persons with disabilities.

## Staff Assistance

Office of the Clerk staff are available to assist with any issues that may arise with respect to providing a barrier-free election and can be reached by way of the contact information provided below:

Holly Willford, Town Clerk/ Returning Officer

Town of Pelham Telephone: 905-892-2607, Ext. #315  
Town of Pelham Direct Line: 905-980-6657  
Email: [hwillford@pelham.ca](mailto:hwillford@pelham.ca)  
Mail: Office of the Clerk, P. O. Box 400, 20 Pelham Town Square, Fonthill, Ontario, L0S 1E0  
In Person: Office of the Clerk, 1<sup>st</sup> Floor, 20 Pelham Town Square, Fonthill

Sarah Leach, Deputy Clerk/Assistant Returning Officer

Town of Pelham Telephone: 905-892-2607, Ext. #320  
Town of Pelham Direct Line: 905-980-6662  
Email: [sleach@pelham.ca](mailto:sleach@pelham.ca)

Jacqueline Miller, Legislative and Committee Coordinator/Deputy Returning Officer

Town of Pelham Telephone: 905-892-2607, Ext. #322  
Town of Pelham Direct Line: 905-980-6664  
Email: [jmiller@pelham.ca](mailto:jmiller@pelham.ca)

## Assistance to Candidates

### Service Animals

Candidates and scrutineers are permitted to be accompanied by a service animal at all Voting Places and other designated election locations.

### Campaign Expenses

Expenses that are incurred by a candidate with a disability that are directly related to the disability, and would not have been incurred but for the election

to which the expenses relate, are excluded from the permitted spending limit for the candidate.

## **Assistance to Electors**

### **Vote by Mail**

A person unable to attend a Voting Place in person may register to Vote by Mail. The On Demand Special Ballot Application for Registration is available on the Town of Pelham website or may be obtained through the Office of the Clerk. Completed Applications shall be returned to the Office of the Clerk. A Special On Demand Ballot Kit will be mailed to the elector and may be mailed back to the Town of Pelham or placed in a designated Vote by Mail Drop Box.

### **Parking**

Designated or reserved parking for people with disabilities is to be provided close to the entrance of the Voting Place where possible. Accessible parking spaces will be clearly posted and easy to see from the road and marked with the International Symbol of Accessibility. The number of designated parking spaces will be increased at voting locations on Voting Day, where possible. Routine checks of routes to the entrance of the Voting Place will be made throughout the day by election personnel.

### **Service Animals**

Electors requiring service animals are permitted to be accompanied by a service animal at all voting locations.

### **Entrance to Voting Place**

Where the Voting Place has steps leading to the entrance, ramps will be provided to assist people using mobility aids or who have mobility impairments. Where possible, the slope of the ramp will conform to the barrier-free design requirements of the Ontario Building Code or the Facility Accessibility Design Standards (FADS) and the ramp will be equipped with handrails. If the ramp is temporary, it will be securely attached to the steps so it cannot slip or wobble. Where the main entrance to the voting place is inaccessible, another entry point that is accessible will be used. Where possible, the accessible entrance will be used as the main entrance for everyone.

Where a Voting Place is located on the second floor of a building, elevators shall be available and remain unobstructed for the movement of people.

The entrance for persons with disabilities will be clearly sign-posted, using the International Symbol of Accessibility. Every effort shall be made to ensure the door to the Voting Place is wide enough for a wheelchair or scooter to pass through easily; that door hardware is accessible and can be operated by a person using a closed fist or alternatively, if the doors are heavy, awkward to open or have handles that are out of reach, they will be propped open in a safe manner or manned.

### **Interior Voting Area**

Access to the interior voting area and voting booth shall be level and easily traversed. Any doormats or carpeting shall be level with the floor to prevent potential tripping hazards. All voting areas will be lit and seating made available.

### **Accessible Voting Booths**

At least one accessible voting booth will be available at each Voting Place. Such voting booth will be low in height and have a wide area to allow for individuals who use a wheelchair or scooter to vote independently and secretly. Magnifying sheets will be made available to assist any individual with low vision.

### **Voting Assistance**

Persons with disabilities may be accompanied by a support person within the Voting Place. In addition, the Deputy Returning Officer in each Voting Place can assist the voter in casting their vote. Prior to entering the voting booth, the Deputy Returning Officer shall, in conjunction with the person with the disability, determine the extent to which they need assistance and the best way in which the assistance can be provided. This may include actually marking the ballot as directed by the person with the disability. All persons assisting a voter with a disability will be required to swear an oath.

A Deputy Returning Officer is authorized to attend any place within a voting location to serve a voter including on-street adjoining the voting location.

Where a Voting Place is located in an institution or retirement home, the Deputy Returning Officer can attend on voters in their specific living areas or at their bedside to assist them to vote. All Deputy Returning Officers are sworn to an oath of secrecy.

## Feedback Process

Feedback about the manner in which election services are provided to persons with disabilities may be submitted to the Office of the Clerk through a variety of methods including:

Town of Pelham Telephone:	905-892-2607, Ext. #315
Town of Pelham Direct Line:	905-980-6657
Email:	<a href="mailto:hwillford@pelham.ca">hwillford@pelham.ca</a>
Mail:	Office of the Clerk, P. O. Box 400, 20 Pelham Town Square, Fonthill, Ontario, L0S 1E0
In Person:	Office of the Clerk, 1 <sup>st</sup> Floor, 20 Pelham Town Square, Fonthill

The feedback process provides election staff with an opportunity to take corrective measures to prevent similar recurrences, address training needs, enhance service delivery and provide alternative methods of providing election services.

Feedback from our customers gives us the opportunity to learn and improve. Feedback may be provided by an individual with a disability in a format that is most convenient for them such as by telephone, in person, in writing, by e-mail or by delivering a diskette. All feedback will be kept in strict confidence and used to improve the delivery of accessible customer service. A response to the feedback will be provided in the manner in which it was received.

## Additional Information

### **In the event of an Emergency declared under the *Municipal Elections Act, s. 53(1)***

If it is determined by the Clerk that an Emergency is to be declared causing a postponement or delay in the delivery of election information or services, the Office of the Clerk shall provide public notice on the Town's Website, at the physical site of the disruption and when possible in the local media. The notice shall include the reason for the emergency, anticipated duration and a description of alternative methods of delivering the information or service. Every effort shall be made to provide alternative methods for the provision of information or service to persons with disabilities.



#### Town of Pelham – Office of the Clerk:

The Office of the Clerk is located at Town Hall on the 1<sup>st</sup> floor, 20 Pelham Town Square, Fonthill, Ontario, L0S 1E0. Clerk's office staff can answer any questions you may have about running for office, the election in general or specific provisions for persons with disabilities.

#### Town of Pelham – Website:

The Town of Pelham's Website is continuously updated to reflect the most recent developments and information. You are invited to visit the website for an up-to-date list of candidates and other important messages or events throughout the election year at [www.pelham.ca](http://www.pelham.ca).

#### Ministry of Municipal Affairs and Housing – Election Website:

This website contains information about municipal elections, the Province of Ontario 2022 Municipal Elections Candidates Guide and the Ministry's commitment to promote greater accessibility for voters and candidates with disabilities <https://www.ontario.ca/page/ministry-municipal-affairs-housing>

#### Ministry of Community and Social Services:

The Ministry of Community and Social Services has developed several quick reference guides with respect to the overall management of an accessible election campaign. For more information, candidates can visit: <http://mcss.gov.on.ca/en/mcss/programs/accessibility>.

#### Service Ontario – e-Laws:

This website contains all current statutes including the *Municipal Elections Act, 1996*; the *Accessibility for Ontarians with Disabilities Act, 2005*, [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

**MUNICIPAL  
ELECTION**  
**October 24 2022**



**Policies and Procedures  
Governing Response to  
Emergency Situations**



**Policies and Procedures**

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## 1. Purpose

To establish procedures in the event of an emergency during a Municipal Election in the Town of Pelham, in order to preserve the integrity of the election process and ensure that the election process is conducted in accordance with the principles of the *Municipal Elections Act, 1996* (the "Act").

## 2. Scope

This policy shall be used to manage emergency situations on Voting Day or on advance poll days at each of the respective polling stations, and shall be followed by all municipal election staff. The poll supervisor is responsible for ensuring adherence to this procedure.

## 3. General

It is recognized that it is impossible to predict if an emergency will occur, and, if it does occur, to what extent the conduct of the election will be affected. The intention of this policy is to provide procedures in the case of specific types of emergencies. Should an emergency be encountered that is not outlined in this procedure, the poll supervisor shall be responsible for immediately contacting the Clerk for instruction and consultation.

## 4. Declaration of an Emergency

*The Emergency Management Act and Civil Protection Act, 1990*, defines an emergency as:

"An emergency means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise."

Section 53 of the *Municipal Elections Act, 1996*, states:

"The clerk may declare an emergency if he or she is of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with this Act."

The Act provides that upon declaring an emergency, the Clerk shall make such arrangements as he or she considers advisable for the conduct of the election.

The arrangements made by the Clerk, if they are consistent with the principles of this Act, prevail over anything contained in this Act and the regulations made under it.

The emergency continues until the Clerk declares that it has ended. If made in good faith, the Clerk's declaration of an emergency and arrangements shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness. If the voting is delayed for a prolonged period of time, the returning officer (the Clerk) may extend the voting hours at the voting location, and delay the issuance of any results until the closing of the vote.

#### **4.1. Maintaining the Peace and Order**

Section 11(2)(c) of the Act provides that the Clerk is responsible for maintaining peace and order in connection with the election. As such, the Clerk is responsible for determining the need for obtaining assistance of this nature and for making the necessary arrangements in this regard. The Clerk may require assistance of persons specially appointed to aid in maintaining peace and order and may also empower a poll supervisor or deputy returning officer to similarly require the assistance of such persons.

The Clerk or a poll supervisor may remove from the voting place any person causing a disturbance. This applies to a voter, scrutineer, candidate, member of the media or election staff.

The emergency situations outlined below are not intended to be all-encompassing and discretion may be required throughout the voting process.

#### **4.2. Temporary Service Disruption**

If there is a temporary disruption in the delivery of election information or services, the Office of the Clerk shall provide public notice on the Town's election website, at the physical site of the disruption and, when possible, in the local media. The notice shall include the reason for the disruption, anticipated duration and a description or alternative methods of delivering the information or

service. Every effort shall be made to provide alternative methods of providing the information or service to all stakeholders.

### **4.3. Hydro/Power Disruption and Outages**

In the event of a hydro outage, the poll supervisor shall:

- 4.3.1. Request that a member of the election team under their supervision contact the Town Clerk (905 892-2607, ext. 315 or 320) immediately to inform of the outage.
- 4.3.2. Ensure that the vote tabulator operator continues processing ballots through the tabulator by using the backup battery power supply.
- 4.3.3. Should the backup power supply (battery) no longer operate, i.e., after approximately one hour, the vote tabulator operator shall continue to accept ballots; however, they will insert the marked ballots into the auxiliary slot in the back-up compartment of the ballot box. These ballots will be duly processed through the AccuVote Tabulator once power is restored, in accordance with the "Procedure for Use of Vote Tabulators" which is appended to this procedure. This shall be conducted in the presence of any scrutineer or candidate.
- 4.3.4. All poll supervisor supply packages contain a flashlight that may be useful in the event of a hydro disruption to ensure the safety of election personnel, electors and any persons in the voting place.

### **4.4. Fire**

Upon arrival at the voting place, election staff shall familiarize themselves with all exits at the polling location. The poll supervisor shall establish a central meeting place located outside of the polling station and communicate this location to all staff prior to opening the polling station. Election personnel should be directed to meet at the designated place should an evacuation of the polling location become necessary.

The following procedures are to be followed should election personnel discover a fire, see smoke, smell gas or should the fire alarm sound:

- 4.4.1. The poll supervisor shall direct one (1) election staff person to immediately call 911 to report the fire.

- 4.4.2. The poll supervisor should ensure everyone remains calm and instruct everyone to leave the building immediately, including voting staff, electors, candidates and/or scrutineers.
- 4.4.3. The deputy returning officers shall exit with unused ballots. Deputy returning officers shall, if time permits, put all loose documentation, including unused ballots, into the supply box provided to them, unless of course personal safety is in danger.
- 4.4.4. With the assistance of the revisions deputy returning officer, the vote tabulator operator shall exit with the AccuVote tabulator and active ballot box. The vote tabulator operator is responsible for keeping the AccuVote Tabulator in their possession at all times. The revisions deputy returning officer and vote tabulator operator shall make every attempt to safely remove any ballot boxes that have been filled and duly sealed as well, if it is of no threat to personal safety.
- 4.4.5. Everyone shall evacuate the building immediately using the nearest safe exit and assemble at the designated meeting place outside of the polling location. Election personnel are required to remain onsite. It may be necessary to relocate to a different, alternate polling location. This will be determined by the Clerk and notice shall be appropriately given through the Town's website, posting of a sign (where possible) at the voting location and through the use of local media, if possible.
- 4.4.6. The poll supervisor shall contact the Clerk as soon as safely possible.
- 4.4.7. The poll supervisor shall ensure that everyone has safely evacuated the building and conduct a head count/roll call of election staff to ensure that no one remains inside the building.
- 4.4.8. The poll supervisor shall initiate re-entry into the polling location only when so authorized by the fire chief.

#### **4.5. Medical Emergency**

Election personnel should inform the poll supervisor of any medical conditions that may be relevant.

If an election official, elector, candidate or scrutineer becomes ill or is injured at a polling location, the poll supervisor shall:

- 4.5.1. Make the person as comfortable as possible and employ the assistance of election personnel to assist.
- 4.5.2. Direct election personnel to call 911.
- 4.5.3. Contact the Clerk immediately to discuss the situation and determine what, if any, action is required, i.e., if the medical emergency involves election personnel, a replacement may be deployed.

Should an election official member become ill or be injured, but not sufficiently ill to request or require an ambulance, the Clerk shall be contacted immediately who shall, if required, make the necessary arrangements to send a replacement.

Replacement staff have been hired and trained and will remain on standby throughout Voting Day.

The ballots and the AccuVote Tabulator must be protected at all times by an authorized election official who is not affected by the emergency to ensure the integrity of the election process is upheld. If the vote tabulator officer or a deputy returning officer becomes ill, the poll supervisor or float deputy returning officer shall take over this responsibility until such time as a replacement has been dispatched and arrives at the polling location.

#### **4.6. Bomb Threat**

In the event of a bomb threat, the poll supervisor shall:

- 4.6.1. Call 911 immediately.
- 4.6.2. Maintain the peace and order of the polling place, and ensure that everyone in the polling station remains calm.
- 4.6.3. Deputy returning officers shall place all loose documentation, including unused ballots, into the supply box provided to them.
- 4.6.4. With the assistance of the revisions deputy returning officer, the vote tabulator operator shall exit with the AccuVote Tabulator and active ballot box. The vote tabulator operator is responsible for keeping the AccuVote Tabulator in their possession at all times. The revisions deputy returning officer and vote tabulator officer shall make every attempt to safely remove any ballot boxes that have been filled and duly sealed as well, again if it is of no threat to personal safety.



- 4.6.5. Everyone shall evacuate the building immediately using the nearest safe exit and assemble at the designated meeting place outside of the polling station. Election officials are required to remain onsite. It may be necessary to relocate to a different, alternate, polling station.
- 4.6.6. The poll supervisor shall contact the Clerk as soon as safely possible.
- 4.6.7. The poll supervisor shall ensure that everyone has safely evacuated the building and conduct a head count/roll call of election officials to ensure that no one remains inside the building.
- 4.6.8. The poll supervisor shall initiate re-entry into the polling station only when so authorized by the appropriate authorities (Niagara Regional Police).
- 4.6.9. Election officials shall not make any attempt to locate the explosive device.
- 4.6.10. To facilitate any investigation by law enforcement authorities and any follow-up and resolution to this incident, election officials should all be prepared to provide as much information as possible to the authorities, including a description of the person(s) who made the threat.

#### **4.7. Weather Emergency**

- 4.7.1. In the event that a severe weather event occurs on Voting Day, i.e., severe precipitation causing flooding at any or all voting locations or a winter storm, the Clerk will work in consultation with appropriate municipal CIS staff to uphold the integrity of the voting process and to provide all reasonable opportunities to electors to exercise their right to vote.
- 4.7.2. If the weather event impedes one (1) isolated voting place and it is found necessary to relocate, the Old Pelham Town Hall facility, 491 Canboro Road, Ridgeville, will be designated as the alternate site. The Clerk will accordingly extend the hours of voting to ensure electors have the opportunity to vote and accommodate any delay experienced while relocating the voting place. This will result in a delay in tabulating the results for reporting purposes.

4.7.3. The Clerk will inform electors and candidates of the relocation through the Town's website, posting a sign at the voting place and through the local media, if possible.

4.7.4. If a major weather event occurs that impacts the entire municipality, the Clerk, in consultation with the appropriate municipal officials, i.e., the chief administrative officer and if applicable, the fire chief, may declare an emergency and make any necessary arrangements to extend the hours of voting accordingly.

## **5. Contingency Plans**

### **5.1. Replacement of Election Official(s)**

If for any reason an individual hired as election personnel proves to be unsatisfactory, the Clerk has the authority to dismiss the individual and to arrange for a replacement from the "standby" election official pool. This practice will only be undertaken where it has been determined that the integrity of the election process is or might be questioned, such as repeated failure to balance the ballot count, leaving the assigned station unattended for repeated or extended periods of time or failure to properly conduct themselves in accordance with the procedures outlined through the Election Personnel training sessions. The Clerk will consult with the poll supervisor in this regard.

### **5.2. Notification to Electors of Delay in Voting**

Every effort will be undertaken to ensure the election process runs seamlessly and that the integrity of the vote is upheld at all times. If an occasion arises where it has been deemed necessary by the Clerk to delay voting at any polling place, notification to electors as to the extended hours of voting, if any, relocation of the polling place, and/or reporting of results will be conducted through the Town's website, signage at the polling location and through the local media, i.e., cable television and local radio stations.

If an emergency or extended delay occurs at any of the voting places on Voting Day or advance polling days, the Clerk has the authority to withhold the release of results for any office affected until after such time as all voting for that office is complete.

### **5.3. Election During or Immediately Following a Public Health Event**

At the time of writing this procedure, the State of Emergency has been lifted within the Town of Pelham with respect to the Novel Coronavirus COVID-19 pandemic. The following procedures will be incorporated into the 2022 Municipal and School Board Election to ensure the safety of all stakeholders:

#### **5.3.1. Candidates**

- 5.3.1.1. Candidates are encouraged to file their nominations by appointment.
- 5.3.1.2. 25 Endorsement Signatures: The Town is recommending a separate form for each endorsement to reduce the number of touch-points per page.
- 5.3.1.3. Candidates will be responsible for their own health and safety during door-to-door campaigning and it is recommended that physical distancing be practiced at all times.
- 5.3.1.4. When campaigning, if there is any doubt regarding the health status of the campaign staff/volunteers/candidate, they should not participate.
- 5.3.1.5. It is recommended that campaign staff have access to alcohol-based hand rub.
- 5.3.1.6. It is recommended that door-to-door campaigning takes place through the door whenever at all possible and when not able to do so, physical distancing be maintained.
- 5.3.1.7. Masks are encouraged for door-to-door campaigning.
- 5.3.1.8. Information regarding requirements for candidates or scrutineers attending a voting place will be provided by the Clerk prior to Advance Voting or Voting Day.

#### **5.3.2. Election Poll Workers/Polling Stations**

- 5.3.2.1. Polling stations will be setup to properly delineate for physical distancing.
- 5.3.2.2. Additional staff will be hired for cleaning of polling station.
- 5.3.2.3. Election officials will be provided PPE for use, if desired.

- 5.3.2.4. Voting screen tables will be wiped after each elector – this will need to include drying time so as not to dampen the next ballot.
- 5.3.2.5. The polling station cleaner position will direct electors to “every other” voting booth to allow for dry time and physical separation – voting booths will be numbered for easier reference.
- 5.3.2.6. Hand hygiene should be practiced before electors are provided PPE and again when they remove the PPE to limit potential for cross-contamination.
- 5.3.2.7. Disinfectant being used for cleaning and disinfection of surfaces should be of a low-level hospital grade disinfectant, to be reviewed by Public Health for appropriateness.
- 5.3.2.8. Such disinfectant should have a short “contact time,” being the time the product needs to stay wet to provide sufficient kill of microorganisms of concern, 1-3 minutes preferred.
- 5.3.2.9. Disinfectant should contain a Drug Identification Number on the bottle/container.
- 5.3.2.10. High touch surfaces such as door handles and other items which may be touched frequently should be cleaned and disinfected periodically throughout the day.

### **5.3.3. Electors**

- 5.3.3.1. Each elector will be given a pen and asked to keep it; we have confirmed that ballpoints will be suitable for ballot marking and the AVOS tabulator will be capable of reading the mark.
- 5.3.3.2. All attempts will be made to use secrecy folders one-time only.
- 5.3.3.3. Communications leading up to voting days will make recommendations that electors who are self-isolating or those in quarantine should take advantage of the On Demand Special Ballot process;
- 5.3.3.4. COVID-19 positive electors shall not attend a voting station, as COVID-19 positive persons are required to

remain on their personal property unless attending urgent medical appointment to avoid exposing others.

- 5.3.3.5. These restrictions will be heavily communicated, electors in isolation being encouraged to use the On Demand Special Ballot process.

#### **5.4. Should Pandemic Escalates or if Situation Warrants:**

The Clerk has the authority, under the Act, Section 53(1), to declare an emergency and put on hold the voting process.

Such declaration would be done in close consultation with Public Health to determine if the pandemic presents an increased public health issue that cannot be addressed through the measures being applied to the election. Monitoring of current pandemic status in Niagara will be required.

The procedures listed above are superseded by COVID-19 regulations as per the Province of Ontario and Niagara Regional Health at the time of advance polls and Voting Day.

**MUNICIPAL  
ELECTION**  
**October 24 2022**



# **Policies and Procedure for Conducting a Recount**



**Policies and Procedures**

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## 1. Authority

The recount shall be conducted by the Clerk of the Town of Pelham in accordance with the provisions of the *Municipal Elections Act, 1996* (the "Act") and Ontario Regulation 101/97 Section 4.

## 2. Notice

The Clerk shall give notice of the recount to:

- Every candidate for an office that is subject of the recount;
- In the case of a recount requested under subsection 57 (1) of the Act, local board or Minister, as the case may be;
- In the case of a recount ordered under Section 58 of the Act, the applicant; and
- In the case of a recount concerning an officer, question or by-law in respect of which electors or another municipality are entitled to vote, the clerk who was responsible for the conduct of the vote in that other municipality.

The notice shall indicate the date, time and location of the recount.

## 3. Programming and Testing of the Vote Tabulators

- 3.1. The vote tabulators shall be programmed in the same manner as on the day of the election.
- 3.2. Prior to the recount, the Clerk shall test the vote tabulators to ensure that they will accurately count the votes cast for the candidates. 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 vote tabulators.
- 3.3. The Clerk shall give notice of the date and time of the testing of the vote tabulators to the candidates.
- 3.4. The test shall be conducted by:
  - a. Tabulating a pre-audited group of ballots including ballots that contain over votes and under votes and ballots on which are recorded a predetermined number of votes for each candidate; and
  - b. Comparing the output of the tabulation against the pre-audited results.



- 3.5. If the Clerk detects any error in the test, the cause of the error shall be ascertained and corrected, and the test repeated until an errorless test is achieved.
- 3.6. The Clerk shall, at the completion of the test, clear the vote totals from the test ballots in the memory card in the vote tabulator and place the memory card in a separate envelope and then seal the envelope.
- 3.7. The Clerk shall retain and have access to the pre-audited group of ballots referred to in clause (3.4) (a), the results tapes that were produced during the test and other materials used in the programming of the vote tabulators.
- 3.8. Each certified candidate for the office that is subject to the recount is entitled to be present during the testing of the vote tabulators, together with one lawyer per certified candidate and one scrutineer per certified candidate.

#### **4. Candidate Briefing**

The Clerk shall brief the certified candidates on the process to be followed in the conduct of the recount. Each certified candidate will be notified of the date, time and location of the briefing. Each certified candidate for the office that is subject to the recount is entitled to be present, together with one lawyer per certified candidate and one scrutineer per certified candidate.

#### **5. Location Set-Up**

- 5.1. The ballot boxes, vote tabulator(s) and all other supplies and materials necessary for the recount shall be delivered to the recount location for set-up.
- 5.2. The Clerk shall be onsite at the recount location to accept delivery of the ballot boxes. Sufficient security personnel shall be onsite to ensure the safekeeping of the ballots; the number of security personnel to be determined by the Clerk. Security personnel shall remain onsite for the duration of the recount.

#### **6. Recount Stations**

There shall be a maximum of thirty (30) recount stations. Each recount station will be staffed with one (1) election official.

## 7. Attendance

In accordance with Section 61 of the Act, the following persons are entitled to be present at the recount:

- a. The Clerk and any other election official appointed for the recount;
- b. Every certified candidate for the office subject to the recount for the 2022 Municipal and School Board Election;
- c. The applicant for the recount ordered under Section 58 of the Act;
- d. One (1) lawyer for each of the certified candidates;
- e. One (1) scrutineer for each of the certified candidates at each recount station established by the Clerk; and
- f. Any other person with the Clerk's permission.

## 8. Scrutineers

Each scrutineer must show to an election official an Appointment of Scrutineer Form, signed by the candidate. No admittance to the recount location will be given to any scrutineer who does not produce this form.

Blank Appointment of Scrutineer forms will be distributed to all candidates and made available at the request of the Clerk.

## 9. Election Officials

The Clerk shall appoint such number of election officials to assist in the conduct of the recount as they consider necessary and may designate their title and duties.

## 10. Recount Process

- 10.1. The election official at each recount station shall receive a ballot box (or ballot boxes in the case of an advance vote location) from the ballot distribution area and, in full view of any scrutineers present at the recount station,:
  - a. Open the ballot box, remove all ballots and show the empty ballot box;
  - b. Remove the memory card from the sealed envelope and insert it into the vote tabulator;
  - c. Cause the vote tabulator to print a copy of all vote totals in the memory card, confirming zero totals; and
  - d. Feed the ballots into the vote tabulator.

- 10.2. If the vote tabulator is unable to count the votes in a ballot, the election official shall:
  - a. Place a ballot label on the back of the ballot;
  - b. Record the voting location on the ballot label and on the label affixed to the ballot referral envelope; and
  - c. Place the ballot in the ballot referral envelope for delivery to the Clerk.
- 10.3. After all ballots from the ballot box have either been fed into the vote tabulator or placed in the ballot referral envelope for delivery to the Clerk, the election official shall:
  - a. Cause a results tape to be produced by the vote tabulator;
  - b. Remove the memory card from the vote tabulator;
  - c. Place all the ballots counted by the vote tabulator back into the ballot box and seal the ballot box;
  - d. Return the ballot box to the ballot distribution area;
  - e. Deliver the results tape and memory card to the election officials at the results area; and
  - f. Deliver the ballot referral envelope to the Clerk.

## **11. Ballots Referred to the Clerk**

- 11.1. The Clerk shall make the final determination of the votes cast for the office that is subject to the recount in the ballots referred to the Clerk from the recount stations in accordance with the provisions of the Act and Ontario Regulation 101/97.
- 11.2. Prior to making the determination in subsection (11.1), the Clerk shall hear any submissions from the certified candidates, their lawyers or scrutineers.
- 11.3. In the event one of the certified candidates, their lawyer or scrutineer objects to the counting of a vote in a ballot ("disputed ballot"), the Clerk shall record the nature of the objection on the ballot label.
- 11.4. The Clerk shall complete and sign the ballot label on the back of the ballot, indicating for which candidate the vote was counted or whether the ballot was rejected from the recount.

- 11.5. At the conclusion of the recount, the Clerk shall:
  - a. Place all disputed ballots into the disputed ballot envelope and seal the envelope; and
  - b. Place the non-disputed ballots in the non-disputed ballot envelope and seal the envelope.

## **12. Results**

- 12.1. During the recount, the Clerk shall post for inspection the summary of the votes cast for the office that is subject to the recount from the recount stations.
- 12.2. The Clerk shall cause to be added to the totals in (11.1) the results of the count for the ballots referred to the Clerk in Section 11.
- 12.3. When the recount is complete, the Clerk shall announce:
  - a. The results of the recount;
  - b. The number of disputed ballots; and
  - c. The results that would be obtained if the disputed ballots were excluded from the count.

## **13. Recount Records**

At the conclusion of the recount, the Clerk shall secure the ballot boxes and other materials from the recount.

**MUNICIPAL  
ELECTION**  
**October 24 2022**



**Pelham Election Team:  
Poll Supervisor Guide**



**Election Team**

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## Election Position Roles and Responsibilities

Your role as a Poll Supervisor/Deputy Returning Officer (“DRO”) is an important one, and it is imperative that you become familiar with all of the details of this position before you begin your posting, as election rules and procedures change from election to election. Please read this handbook carefully as it will assist you to know what to do under the current rules and in various situations. You are also being provided with the guides for a DRO and Vote Tabulator Operator (“VTO”). You should review these references as well to ensure a smooth election day!

### Poll Supervisor

The Poll Supervisor is in charge of overseeing the Polling Location.

Responsibilities include:

- In conjunction with each DRO, deliver of all supplies to the facility, i.e. all ballots, supplies, voting screens, etc.;
- Maintain order at the polling station throughout the day;
- Canvas the interior and exterior of the polling station to ensure no campaign material is visible;
- Administer oaths to election staff;
- Sign-in each scrutineer or candidate present at the polling station;
- Answer any questions from the media and scrutineers;
- Assist in guiding electors;
- Ensure the proper opening and closing of the poll;
- Accompany the VTO from the polling location to be in charge of the prompt delivery of the ballot boxes, memory card, vote tabulator and all printouts to Town Hall, and ensure this is done as soon as possible after the poll closes at 8:00 p.m.; and
- Ensure the delivery of all remaining materials to Town Hall after the polling location has closed and packed up.

Please note, each Poll Supervisor will be appointed as a Deputy Returning Officer.

### Deputy Returning Officer (“DRO”)

The DRO is responsible for confirming voter’s information and issuing the correct ballot type to electors and providing instruction on how to vote for each race. The DRO is responsible to ensure the ballots they issued balance at all times.

Responsibilities include:

- Deliver supplies and ballots to the polling station;
- Assist polling station team with setup;

- Count and verify that the correct number of ballots have been received and sign the applicable form provided by the Clerk;
- Process electors within a specific voting poll by scanning the voter cards;
- If the elector does not have voter card, manually search the elector;
- Verify the elector's identification and ensure the elector's name and address are correct;
- If changes are required, send directly to the Revisions Deputy Returning Officer;
- If no changes are required, automatically strike voter off the voters' list;
- Initial the back of the ballots in the appropriate space;
- Distribute the correct ballot to the voter and instruct the voter on the applicable races and how to mark ballot;
- Place ballot into secrecy sleeve;
- Maintain the tally sheet and periodically balance ballots issued; and
- Assist with closing of polling station procedures.

Note: a Floating DRO will be provided busy polling station locations to provide assistance where necessary.

### **Revisions Deputy Returning Officer**

The Revisions DRO is responsible to update the voters' list for electors not on the list, or to make corrections to voter information, and then issue the correct ballot to the elector.

Responsibilities include:

- Assist polling station team with setup;
- Make changes to elector information as required;
- Add electors to the voters' list and required;
- Issue the correct ballot to the elector;
- Assist DRO's with periodic balance processes; and
- Assist with closing of polling station procedures.

### **Vote Tabulator Operator ("VTO")**

The VTO's role is input the complete ballot into the vote tabulation machine to read the vote and tabulate the results onto a memory card, while protecting the secrecy of the ballot at all times.

Responsibilities include:

- Assist polling station team with setup;



- Produce tabulation tapes before the poll opens to indicate a zero balance on the machine;
- Allow scrutineers to observe and place their initials on all tape copies;
- Insert ballots into the vote tabulation machine using the secrecy sleeve;
- Ensure the secrecy of the voter's ballot at all times;
- If the ballot is rejected, the VTO will discreetly direct the elector to the DRO in order to receive a new ballot (the Poll Supervisor can help in cases such as this);
- Initiate the "ender card" process and produce the tabulation tapes at the close of voting;
- Assist with closing of polling station procedures;
- Accompany Poll Supervisor to return Tabulator and supplies to Town Hall.

### **Information Clerk**

The Information Officer is the first person the elector sees when entering the polling location. A positive greeting will set the tone for the elector's voting experience.

Responsibilities include:

- Assist polling station team with setup;
- Kindly greet each elector;
- Canvas the interior and exterior of the polling station to ensure no campaign material is visible;
- Ensure information on voter card matches the voter's identification;
- Direct the voter to the appropriate DRO;
- If changes to the elector's information are required, or the voter is not on the voters' list, send the voter to the Revisions DRO;
- keep the line moving in an organized manner;
- Answer questions as needed;
- Assist with closing of polling station procedures.

### **The Role of Poll Supervisor**

In the absence of the Clerk, the Poll Supervisor is responsible for the polling station for which they have been assigned. The Poll Supervisor acts in a supervisory capacity to oversee set up, operation and closing of poll, including monitoring and coordinating all polling activities throughout the day. The Poll Supervisor is also responsible for the overall security, peace and order of the polling facility.

The Poll Supervisor is an appointed Deputy Returning Officer; please become familiar with the role. In the event that the DRO's require assistance throughout the day to process electors and maintain the voters' list, the Poll Supervisor can assist in exceptional circumstances. The Poll Supervisor is encouraged to minimize this component given the main role as supervisor.

### **Before Voting Day**

- Pick-up election supplies from Town Hall, including but not limited to: maps, voting screens, accessible voting booth, general election signs, general election supplies, PPE, identification tags, scrutineer package and Poll Supervisor Binder;
- The VTO will be responsible to pick-up the vote tabulator assigned to the polling station;
- DRO's are individually responsible to retrieve their ballots and secure them until voting day.

### **Set Up and Opening the Polling Station**

- By 8:00 a.m., telephone the members of your polling station team to ensure they are healthy and able to fulfill their assigned responsibilities. If any are not available, advise the Clerk immediately so that a replacement can be assigned;
- Arrive at the assigned station between 8:30 a.m. and 9:00 a.m. and upon arrival, begin taking attendance of the team and record this information in the Poll Supervisor Binder;
- Unload election supplies and set-up the station together with the team. A suggested layout will be provided;
- Place exterior signs and canvas the exterior of the polling station for campaign material. Remove any material situated on the property. Continue to periodically check the property throughout the day (campaign material should not be situated within 60 metres of the polling station);
- Gather DRO sample initials on the form provided in the Poll Supervisor binder and give to the VTO;
- Administer the election officer oaths provided in the Poll Supervisor binder;
- Oversee the set-up of the vote tabulation machine;
- At 9:45 a.m. supervise the VTO while they run the zero balance tape;
- Ensure that one copy of the zero balance tape is displayed and visible to electors at all times;
- Unlock the doors at 10:00 a.m. sharp;

Note: Poll Supervisors should be stationed near the entrance of the polling station to assist electors and monitor the entrance/ exit. A table will be provided and location indicated on the layout for this station.

### **Throughout the Day**

- In conjunction with the Information Clerk, direct electors to the appropriate DRO or Revisions DRO;
- Answer general questions and assist the election staff as needed;
- Check with the DRO's and VTO periodically to balance the ballots against the tabulator;
- Monitor the activity of election staff;
- Assist and/or instruct election staff to retrieve secrecy sleeves to from the VTO to be put back into rotation if necessary;
- Monitor the attendance of scrutineers and candidates at the polling station (1 representative per candidates at the location);
- Canvas the exterior and interior of the polling station for campaign material and request removal/ remove where necessary;
- In case of an medical emergency, contact 911 then the Clerk immediately;
- In case of an election emergency, contact the Clerk immediately. Where the Clerk cannot be reached, contact the Deputy Clerk;
- In case of a power failure, the vote tabulation machine should continue to operate by battery power. If this is not the case, the back-up procedure is to direct the VTO to insert un-tabulated ballots into the back-up ballot box until the machine's power is restored or replaced, under the supervisor of the Poll Supervisor, scrutineer(s) etc. and contact the Clerk immediately.

### **Directing Voter's**

- If the voter has a voter notification card and proper identification, the Information Clerk shall direct the voter to the next available DRO;
- If the voter has proper identification but does not have a voter notification card, and indicated they left the card at home, the Information Clerk shall direct the voter to the next available DRO;
- If the voter has a voter notification card and proper identification, but arrives at the incorrect polling station, the Poll Supervisor may assist in determining the correct polling station and re-direct the voter;
- If the voter has proper identification and indicates they did not receive a voter notification card in the mail, the Information Clerk shall direct the voter to the Revisions DRO to determine if they are on the voters' list and if not, add them;

- If the voter has a voter notification card and proper identification but indicates that the information on the voter notification card is incorrect, the Information Clerk shall direct the voter to the Revisions DRO to amend the voters' list and issue the corresponding ballot;
- If the voter has a voter notification card but no proper identification, the Information Clerk shall direct the voter to retrieve identification prior to voting or complete a Form 9 with a DRO declaring their identity.

### **Helping to Stay Balanced**

Each DRO will maintain a manual count of ballot issued on a tally sheet, while simultaneously striking voters from the electronic voters' list. DRO's have the ability to record comments on the electronic Voter's List. DRO's will be directed to enter the number on the tally sheet into the electronic voters' list in an effort to stay balanced.

Steps to assist DRO's to balance:

1. Wait for a "slow time" when there are not as many voters waiting to be processed;
2. Determine the number of ballots that the vote tabulation machine has processed. This is the number you will want to balance to;
3. Ask each DRO for the number of ballots that were "voted". This will be the total number of ballots issued, subtract any that's were returned (ex. cancelled, declined, etc.). This is the number of ballots that they issued that were processed by the VTO;
4. Add up the number of voted ballots issued by the DRO's, which should equal the number processed through the vote tabulation machine; and
5. Record these numbers on your Progress Report for Ballot Counts sheet. Additional paper is provided to you that you may use for rough calculations.

If the ballots do not balance, ask each DRO to:

1. Check the tally sheet number against the counter on the VoterView system;
2. Consider all ballot issued may not be all ballots voted;
3. Ask each DRO to check their cancelled and declined envelopes and subtract these from the number on the tally sheet;
4. If a DRO cannot get balanced, close the station and ask the Floating DRO to assist if necessary. Cross reference the tally sheet with the numbers recorded for each elector.

## Ballot Removal from the Polling Station

There is only ONE time that a ballot issued may leave the polling station; this is to allow an elector to vote from their vehicle. If this process is requested, the Poll Supervisory shall:

1. Obtain the assistance of an available DRO;
2. Accept the voter notification card and proper identification of the voter;
3. Obtain a ballot from the Revisions DRO and ensure the elector is stricken from the voters' list with a comment noting this procedure was utilized;
4. Bring the ballot, secrecy sleeve, pen and clipboard to the vehicle (Poll Supervisor and DRO);
5. Accept the completed ballot in the secrecy sleeve and deposit with the VTO; and
6. Record in the incident log.

Under no circumstance shall a candidate or scrutineer be present at the marking of a ballot, other than their own.

It is strongly encouraged that the Poll Supervisor maintain a record of unusual occurrences. The Clerk may need to rely on these notes to defend the election process in the event of a court challenge.

## Closing the Polling Station

If balancing efforts were maintained throughout the day, closing the polling will run more smoothly.

Here is a checklist to assist:

- Lock the door promptly at 8:00 p.m. No one is to enter the polling station once the Poll Supervisor lock the polling station. This includes candidates, scrutineers or family and friends of election. If candidates or scrutineers are not present in the poll by 8:00 p.m., they are not permitted entry.
- Any elector's that are inside the polling station or were in line outside of the polling station prior to 8:00 p.m. at closing time shall be given the right to vote. DRO's shall process all electors and allow the VTO to tabulate all ballots before generating the Totals Report.
- Station the Information Clerk at the entrance to ensure no one not present by 8:00 p.m. enters.

- Poll Supervisor and VTO are responsible for tabulation of results, after all balancing of ballots is final. Do not allow the VTO to run totals tape until all DRO's have balanced successfully.
- Ensure DRO's complete the Statement of Ballot Account (refer to DRO guide).
- Collect the completed Entry as to Number of Electors Who Voted form and Statement of Ballot Account form from each DRO.
- Once successfully balanced, supervise any processing from the back-up ballot box (if used due to technical failure). This must be done before the VTO begins the ender card process. This process is appended to this manual.
- Once certain that all ballots have been accounted for and duly processed, instruct the VTO to begin the ender card process. This notifies the tabulator that no more ballots should be accepted.
- The ender card process will trigger the printing of the results tape. Ensure the print cover is removed.
- Once the VTO prints two copies of the results tape, sign both.
- Together with the VTO, place the full copy into the tape report compartment (the one with the zero totals attached). This should be one full continuous tape showing opening zero totals and close of poll election results for this polling station.
- **Call the Clerk with the results: 905-980-6657**
  - If you cannot reach the Clerk the first time, call continuously (She may be on the other line with another polling station)
- Place the separate zero total tape and results report tape in the envelope provided to the VTO and place in the folder with the DRO statements to return to the Clerk.
- Complete the Poll Supervisor Summary Statement using the DRO Statements of Ballot Account, Box "I".
- Place original statement in statement envelope, together with all original DRO Statements of Ballot Account, the printed copy of the zero totals tape and results tape and return to the Clerk.
- Issue final oaths to all workers (payment will be distributed by the Clerk's department at a later date).
- Assist with delivery of supplies and materials to the Clerk at Town Hall. Staff will be present at the back door to receive this from you.

### **Opening Remarks to Election Staff**

Below, please see suggested opening remarks to your election staff. These remarks are suggested guideline, feel free to make them your own!

- Before you begin processing electors, please ensure that your computer state 10 a.m.
- Polls are likely to be busy at 10:00 a.m., again around dinner time as people come home from work, and then again between 7:00 and 8:00 pm – a last minute rush.
- When an elector is present, please ensure you are not on your cell phones, and that you keep as many eyes as possible on the elector(s). This is important to ensure ballots are fully accounted for throughout the day.
- Every member of election staff must be at their workstation when electors, or candidates/scrutineers are present.
- Information Clerk(s) are reminded that if someone does not have identification on their person, they can still vote. They will need to complete a Form 9, Declaration of Identity. This can be done with any DRO or Revisions DRO.
- Information Clerk(s) should not turn people away if they don't have ID.
- A PASSPORT ALONE IS NOT A SUFFICIENT PIECE OF IDENTIFICATION for proof of address (because you write your own address in). If no ID – use the Form 9.
- It is preferred to have a piece of ID with the address *as well as the voters' card* (i.e. if they only have Health Card and Voter Card – a driver's license is preferred but if they have nothing else, accept the OHIP).
- The VTO must always be present at the VTO station. The security of the ballot boxes and vote tabulation machine are paramount. Only the VTO or Poll Supervisor have the authority to process ballots. If the VTO must use the washroom, the Poll Supervisor shall be stationed at the tabulator.
- When a DRO opens a blister package of ballots, you will need to count them before you begin issuing ballots from that bundle. We have found a few bundles to be short a ballot so PLEASE count when you open! If you are short a ballot, count again. If you are still short, make a note on your certificate & receipt for ballots form so that you can adjust at day's end.
- Here is a quick review of the scanning process:
  - Information Clerk(s) will ensure the elector is in the proper voting place using the voter notification card. If they do not have a voter notification card, this information can be found using the VoterView system. I
  - We will use one single line to process voters – there is no need to send them to a specific DRO. Everyone in the polling place has the same voters list in electronic format. This is a Town wide voters' list and not ward or poll only. However, ballots have been distributed to each polling station based on the poll numbers.

- Please only issued ballots to people that arrive to the correct polling station.
- When an elector does not have a voter card but DID receive one, process normally, using the “lookup by voter name or address” process instead of the scanner.
  - If an elector indicates they did not receive a voter card, the Information Clerk(s) should have them go to the Revisions DRO so that they can be added to the list.
  - Once the elector is present at the DRO station, the DRO will then scan the voter card. Be sure your “mouse” is in the barcode part of the screen. The scanner works best with an “in/out” motion as opposed to an “up/down” motion.
  - The elector’s information will appear on the screen.
  - Confirm the school support and qualifying address and compare the address with the identification you have been provided.
  - Please be sure you have the same voter card as the voter and identification. These voter notifications come in packages per household – don’t scan the son if you are processing the father please!
  - If the elector does not have identification, they may swear an affidavit of identity (Form 9). They must complete this in writing and each DRO is authorized to process this.
  - Cross off the next number from the tally sheet, write the number on the voter card (this may be helpful if you don’t balance) and type the ballot number in the box on the screen, below the box that says “comment” (the comment box is a drop down menu).
  - The DRO will then click “record” and the elector has been processed. The number in the top right-hand corner of your computer screen will increase by one.
  - Instruct the voter, as per your training manual.
  - Be sure to initial all ballots you issue.
  - Refer to the “cheat sheet” about recording a cancelled ballot.
  - Process each elector in a meticulous and organized way. Do not feel rushed – it is more important to get it done right than it is to get it done fast. The single line will ensure the elector goes to the next available DRO, no pressure!
- If an elector hands you a voter notification card for someone no longer living at this address, (i.e. moved or deceased) give the card to the Poll supervisor who will notify the Revisions DRO. If possible, write down on the card where the person now lives or if they are deceased. We need these to be kept separate so that the Clerk’s department can process them later.
  - Some electors will be grumpy. That’s ok. Treat every elector with kindness and respect. If there are any issues that you cannot manage,



summon the Poll Supervisor and it will be handled with a follow-up incident report.

- Please be mindful and alert to electors having campaign materials with them. Campaign materials are NOT permitted in a voting place.

## Poll Supervisor Master Checklist

\*Remove from guide and utilize on Voting Day\*

### Set Up and Opening the Poll

- By 8:00 a.m., telephone the members of your polling station team to ensure they are healthy and able to fulfill their assigned responsibilities.
- Arrive between **8:30 a.m. and 9:00 a.m.**, confirm that all staff are present and record. Call the Clerk if any staff are missing by 9:15 a.m.
- Set up the Polling Station.
- Post all exterior and interior signs.
- Ensure no campaign material is present within 60 metres of the Polling Station. Remove or call By-law Services to remove.
- Issue the Oral Oath to all election staff.
- Sample DRO initials form to be completed and given to VTO.
- By **9:45 a.m.** supervise the zero totals by VTO (scrutineers may observe).
- Ensure that the computer clocks reflect the clock on the vote tabulation machine and that every computer is the same.
- **10:00 a.m.:** Open the doors.

### Throughout the Day

- Assist the Information Clerk in directing electors to DRO or Revision DRO.
- Guide election workers as required; troubleshoot.
- Answer general election questions of election staff and electors.
- Balance Ballots Issued (see form)
  - 11:00 am
  - 1:00 pm
  - 3:00 pm
  - 5:00 pm
  - 7:00 pm
- Canvas exterior and interior of polling station for campaign materials; remove if necessary.
- Assist voters who may have shown up in wrong poll station.
- Ensure each DRO has secrecy sleeves. Collect from VTO if necessary.
- Monitor the attendance of scrutineers and candidates at the polling station (1 representative per candidates at the location);
- Maintain Peace and Order – Call Clerk if needed!

- Record unusual incidents.

### **Closing the Poll**

- **8:00 p.m.:** Lock the polling station entrance and prevent entry to those who had not arrived before 8:00 p.m. Clear the polling location and ask the Information Clerk to act as an entry guard. If voters are present, allow them to vote. DRO's shall process all electors and allow the VTO to tabulate all ballots before generating the Totals Report.
- Do not allow the VTO to run totals tape until all DRO's have balanced successfully.
- Ensure DRO's complete the Statement of Ballot Account (refer to DRO guide).
- Collect the completed Entry as to Number of Electors Who Voted form and Statement of Ballot Account form from each DRO.
- Supervise any processing from the back-up ballot box (if used due to technical failure). This must be done before the VTO begins the ender card process. This process is appended to this manual.
- Once certain that all ballots have been accounted for and duly processed, instruct the VTO to begin the ender card process. This notifies the tabulator that no more ballots should be accepted.
- Ensure the print cover is removed and begin ender card process.
- Once the VTO prints two copies of the results tape, sign both.
- Together with the VTO, place the full copy into the tape report compartment (the one with the zero totals attached). This should be one full continuous tape showing opening zero totals and close of poll election results for this polling station.
- **Call the Clerk with the results: 905-980-6657**
  - a. If you cannot reach the Clerk the first time, call continuously (She may be on the other line with another polling station)
- Place the separate zero total tape and results report tape in the envelope provided to the VTO and place in the folder with the DRO statements to return to the Clerk.
- Complete the Poll Supervisor Summary Statement using the DRO Statements of Ballot Account, Box "I".
- Place original statement in statement envelope, together with all original DRO Statements of Ballot Account, the printed copy of the zero totals tape and results tape and return to the Clerk.
- Issue final oaths to all workers (payment will be distributed by the Clerk's department at a later date).
- Assist with delivery of supplies and materials to the Clerk at Town Hall. Staff will be present at the back door to receive this from you.

### **Items in the Ballot Box Before you Seal It**

- ❑ DRO copies of Certificate of Ballots Received
- ❑ Form 9 – Declaration of Identity
- ❑ Cancelled Ballots (collect from DRO's)
- ❑ Declined Ballots (collect from DRO's)
- ❑ Unused Ballots (LOOSE ONLY)
- ❑ EL25A's (certificate and receipt for ballots) from DRO's
- ❑ Statement of Ballot Account from DRO's (white copy)
- ❑ Attach Entry as to Number of Electors Who Voted to DRO copy of Statement form (above)- Form 1282
- ❑ Form 1272 – Final Oath of Election Workers
- ❑ Poll Supervisor Summary Statement (COPY)

### **To Return to Clerk:**

- ❑ Amend the voters' list forms
- ❑ Form EL28 - List of Persons who voted at Advance Vote (if applicable)
- ❑ Office Supplies (Paper, pens, signs, etc.)
- ❑ Tally Sheets from DRO's
- ❑ Statement of Ballot Account from DRO's (green copy)
- ❑ Form 1282 – DRO's Entry as to Number of Electors who Voted
- ❑ Final Oath or Affirmation (of ALL workers)
- ❑ Poll Supervisor Summary Statement (Original)
- ❑ VTO Reports Envelope (from Vote Tabulator)
- ❑ Form 9 - Declaration of Identity (Unused)
- ❑ List of Scrutineers who Attended
- ❑ Unused Ballots (bundled only)

### **Ender Card Process (VTO)**

1. Permit all eligible electors who are present in the Polling Station before 8 p.m. to cast their vote;
2. Inspect the interior of the back-up ballot box to ensure it is completely empty;
  - a. If yes: Proceed to step 3;
  - b. If no: Contact the Poll Supervisor immediately and process in their presence (scrutineers and additional election staff may witness if desired). The VTO shall maintain the secrecy of the vote will feeding through the vote tabulation machine. The VTO shall ensure the ballot count on the machine is increased by one with every ballot feed.

3. Once certain all ballots have been processed, apply the ballot box seal labelled "at close of vote" and place the seal over the slot where the ballot have been fed.
4. Before beginning the ender card process, confirm with the Poll Supervisor that all ballots are accounted for (ensuring that the ballot counts balance).
5. Begin the ender card process noted below:
  - a. Record number of ballots identified by the vote tabulation machine counter and tell the Poll Supervisor;
  - b. Unlock and remove the cover on the vote tabulation machine;
  - c. Unroll the zero tape to avoid jamming;
  - d. Secure against receiving more ballots by holding "yes" and "no" simultaneously and insert the **ender card** (it doesn't matter if it is face up or down);
  - e. Election report will begin printing immediately on the zero tape in the compartment;
  - f. Sign the first copy along with the Poll Supervisor and any scrutineer and/or election staff present;
  - g. Cut this tape and after printing the second copy, roll the full report – with zero tape and results intact on one tape and place it back in compartment;
  - h. Print a second copy and sign;
  - i. Provide results to the Poll Supervisor to telephone to the Clerk;
  - j. **Do not remove** the memory card – it should remain in the vote tabulation machine with the deal intact; and
  - k. Secure the ballot box to ensure no ballots can be removed or fall out during transport using the seal.

**MUNICIPAL  
ELECTION**  
**October 24 2022**



**Pelham Election Team:  
Deputy Returning Officer Guide**



**Election Team**

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## **Election Position Roles and Responsibilities**

Your role as a Deputy Returning Officer (“DRO”) or a Revisions DRO is an important one, and it is imperative that you become familiar with all of the details of this position before you begin your posting, as election rules and procedures change from election to election. Please read this handbook carefully as it will assist you to know what to do under the current rules and in various situations.

### **Poll Supervisor**

The Poll Supervisor is in charge of overseeing the Polling Location.

Responsibilities include:

- In conjunction with each DRO, deliver of all supplies to the facility, i.e. all ballots, supplies, voting screens, etc.;
- Maintain order at the polling station throughout the day;
- Canvas the interior and exterior of the polling station to ensure no campaign material is visible;
- Administer oaths to election staff;
- Sign-in each scrutineer or candidate present at the polling station;
- Answer any questions from the media and scrutineers;
- Assist in guiding electors;
- Ensure the proper opening and closing of the poll;
- Accompany the VTO from the polling location to be in charge of the prompt delivery of the ballot boxes, memory card, vote tabulator and all printouts to Town Hall, and ensure this is done as soon as possible after the poll closes at 8:00 p.m.; and
- Ensure the delivery of all remaining materials to Town Hall after the polling location has closed and packed up.

Please note, each Poll Supervisor will be appointed as a Deputy Returning Officer.

### **Deputy Returning Officer (“DRO”)**

The DRO is responsible for confirming voter’s information and issuing the correct ballot type to electors and providing instruction on how to vote for each race. The DRO is responsible to ensure the ballots they issued balance at all times.

Responsibilities include:

- Deliver supplies and ballots to the polling station;
- Assist polling station team with setup;
- Count and verify that the correct number of ballots have been received and sign the applicable form provided by the Clerk;

- Process electors within a specific voting poll by scanning the voter cards;
- If the elector does not have voter card, manually search the elector;
- Verify the elector's identification and ensure the elector's name and address are correct;
- If changes are required, send directly to the Revisions Deputy Returning Officer;
- If no changes are required, automatically strike voter off the voters' list;
- Initial the back of the ballots in the appropriate space;
- Distribute the correct ballot to the voter and instruct the voter on the applicable races and how to mark ballot;
- Place ballot into secrecy sleeve;
- Maintain the tally sheet and periodically balance ballots issued; and
- Assist with closing of polling station procedures.

Note: a Floating DRO will be provided busy polling station locations to provide assistance where necessary.

### **Revisions Deputy Returning Officer**

The Revisions DRO is responsible to update the voters' list for electors not on the list, or to make corrections to voter information, and then issue the correct ballot to the elector.

Responsibilities include:

- Assist polling station team with setup;
- Make changes to elector information as required;
- Add electors to the voters' list and required;
- Issue the correct ballot to the elector;
- Assist DRO's with periodic balance processes; and
- Assist with closing of polling station procedures.

### **Vote Tabulator Operator ("VTO")**

The VTO's role is input the complete ballot into the vote tabulation machine to read the vote and tabulate the results onto a memory card, while protecting the secrecy of the ballot at all times.

Responsibilities include:

- Assist polling station team with setup;
- Produce tabulation tapes before the poll opens to indicate a zero balance on the machine;
- Allow scrutineers to observe and place their initials on all tape copies;

- Insert ballots into the vote tabulation machine using the secrecy sleeve;
- Ensure the secrecy of the voter's ballot at all times;
- If the ballot is rejected, the VTO will discreetly direct the elector to the DRO in order to receive a new ballot (the Poll Supervisor can help in cases such as this);
- Initiate the "ender card" process and produce the tabulation tapes at the close of voting;
- Assist with closing of polling station procedures;
- Accompany Poll Supervisor to return Tabulator and supplies to Town Hall.

### **Information Clerk**

The Information Officer is the first person the elector sees when entering the polling location. A positive greeting will set the tone for the elector's voting experience.

Responsibilities include:

- Assist polling station team with setup;
- Kindly greet each elector;
- Canvas the interior and exterior of the polling station to ensure no campaign material is visible;
- Ensure information on voter card matches the voter's identification;
- Direct the voter to the appropriate DRO;
- If changes to the elector's information are required, or the voter is not on the voters' list, send the voter to the Revisions DRO;
- keep the line moving in an organized manner;
- Answer questions as needed;
- Assist with closing of polling station procedures.

### **The Role of a Deputy Returning Officer**

Pursuant to the *Municipal Elections Act, 1996* (the "Act") the following general duties and responsibilities shall be carried out by the DRO as appointed by the Clerk, who is the Returning Officer for the purposes of this municipal and school board election. Training and instructions will be provided by the Clerk, and the required tasks shall be performed in accordance with the Act.

The DRO shall familiarize themselves with the designations for the school support:

- (EP) English Public (white)
- (ES) English Separate (yellow header)

- (FP) French Public (blue header)
- (FS) French Separate (blue header)
- (N) No School Support (blue header)

It is also important that the DRO is familiar with the qualifications of electors. A person is entitled to vote in a local municipality if, on voting day, they are:

- A resident of the local municipality;
- The owner and/or tenant of land and/or property in the local municipality;
- The spouse of such owner or tenant;
- A Canadian citizen; and
- At least 18 years of age.

Persons prohibited from voting include:

- A person who is serving a sentence of imprisonment in a correctional institution;
- A corporation; or
- A person acting as executor or trustee.

### **Revisions Deputy Returning Officer**

Each polling station shall be staffed with a Revisions DRO. In addition to the role outlined above, the Revision DRO is responsible to update voters' information on the voters' list or add new electors that are not currently on the voters' list. The Revisions DRO will then issue the correct ballot to the elector.

The Revision DRO will be reserved for corrections, additions and accessible voters as they will be located at the entrance of the polling station.

### **Before Voting Day**

- Pick up your ballots and DRO supply box from Town Hall. You will be notified by the Clerk's department when this is ready for you;
- Count the ballots to verify that the correct number has been provided (assume unopened bundles are 100); and
- Sign for the ballots and they will then remain in your custody until the close of voting. You are responsible for the safekeeping of the ballots.

### **Set Up and Opening the Polling Station**

- Arrive at your assigned location no later than 9:00 a.m. and upon arrival, immediately identify yourself to the Poll Supervisor for attendance purposes;

- Assist the Poll Supervisor by unloading Election supplies and setting up the location (suggested layout to be provided);
- Ensure all ballots assigned to you are present and arranged carefully for quick access – you will be provided accordion folders to assist;
- Pre-initial a supply of ballots to streamline voter processing especially during peak times;
- Note: you may keep packaged ballots bundled and assume they are in 100s; count them when you open the packaging;
- Assist the Poll Supervisor to ensure there is no campaign material in the polling station;
- Ensure the laptop and scan wand is operational;
- Click on VoterView icon, enter assigned password to access the electronic voter's list;
- Once all DRO's have their computers signed in, make sure to synchronize them for the time stamp. The time on each computer should match the time on the AccuVote Tabulator, which has been pre-set by the Clerk. If some of the computer times do not match, reset the time.
- Do not process any electors prior to 10 a.m.

## Processing Electors

Below are the steps to process an elector:

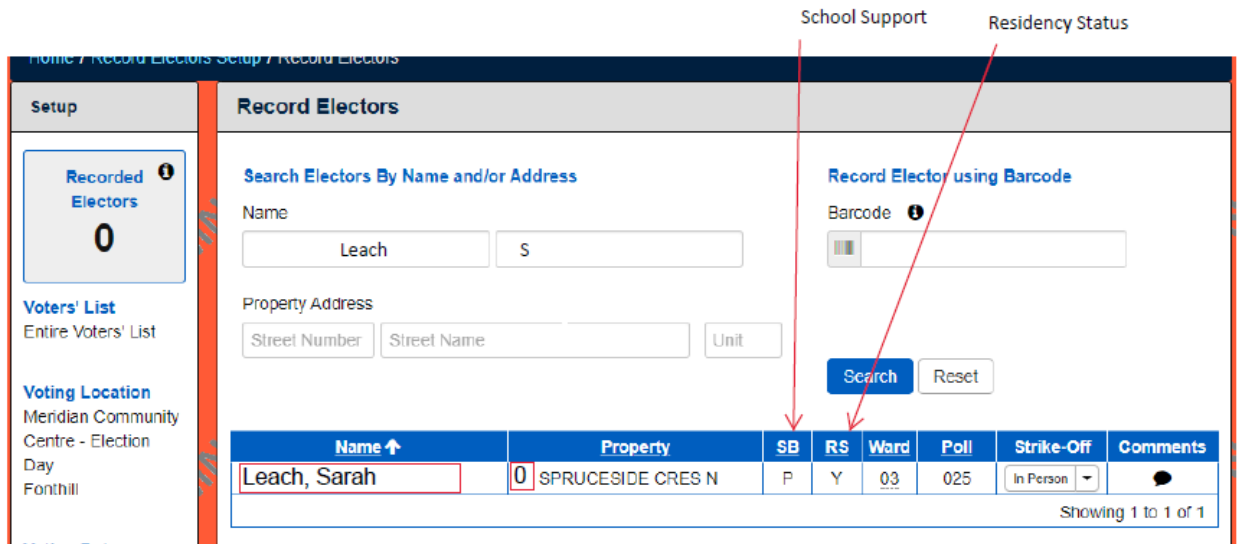
1. If the elector presents you with a voter notification card, using the handheld scanning gun (plugged into the laptop), scan the voter card;
2. If the elector does not have a voter notification card, you may type their name into the search box and the information will appear on your screen if they are on the list (See **Figure 1.0**);

The screenshot shows the VoterView web application interface. At the top, there is a search bar labeled "Search by keyword" and a "Log" button. Below this is a navigation menu with options: Home, Search, Add, Record Electors, Reports, Manage, Tools, Data Cleansing, and Administration. The main content area is titled "Record Electors" and contains several sections:

- Recorded Electors:** A box showing a count of 0.
- Voters' List:** A link to "Entire Voters' List".
- Voting Location:** A list of locations including Meridian Community Centre - Election Day and Southill.
- Search Electors By Name and/or Address:** A section with input fields for "Last Name" and "First Name", and "Property Address" fields for "Street Number", "Street Name", and "Unit".
- Record Elector using Barcode:** A section with a "Barcode" input field and a barcode icon.
- Search and Reset buttons:** Located at the bottom right of the search section.

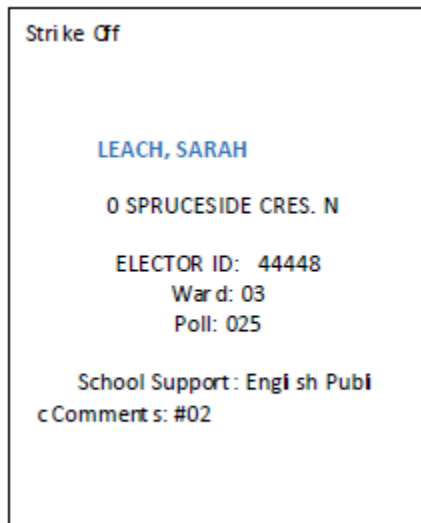
**Figure 1.0**

3. If the electors name does not appear, direct them to the Revisions DRO to add their name to the list;
4. Verify voter name and address using the identification provided;
5. Double check the school support and verify with the elector (See **Figure 1.1**);



**Figure 1.1**

6. Electronically strike off the elector from the voters list and enter the ballot number, matching it to your Tally Sheet. To do this, click on "In Person" and you will get a new screen (**Figure 1.2**);



**Figure 1.2**

7. Check the information on the screen and match it to the ballot you are about to issue. Using a pen, initial the appropriate box located at the top right-hand corner of the ballot, on the back. It is recommended a batch of ballots be pre-initially to expedite this step;

8. Press the blue button: "Record Vote". When you record the vote, your "Recorded Electors" number will increase by one, the name will be crossed off and this elector will have a yellow "X" beside their name (See **Figure 1.3**);

Record Electors Increases By 1    Name Stricken    Yellow X

Home / Record Electors Setup / Record Electors

Setup    **Record Electors**

Recorded Electors **1**

Voters' List  
Entire Voters' List

Voting Location  
Pelham Fire Station  
#2 - Election Day  
Fenwick

Voting Date  
October 22, 2018

Search Electors By Name and/or Address

Name  
Leach S

Property Address  
Street Number    Street Name    Unit

Record Elector using Barcode  
Barcode

Search    Reset

Name	Property	SB	RS	Ward	Poll	Strike-Off	Comments
Leach, Sarah	0 SPRUCESIDE-CRES-N	P	¥	00	026	X	

Showing 1 to 1 of 1

**Figure 1.3**

9. Give the elector the secrecy folder (with the ballot inside), direct them to a voting screen, instruct how to complete the ballot, and advise them to take their ballot to the VTO when completed;
10. Periodically and when called upon by the Poll Supervisor, you will need to balance your ballots with other DROs to ensure they match the ballot number processed by the vote tabulation machine. The Poll Supervisor has forms for this purpose. Use your tally sheet to match the number of ballots issued;
11. Throughout the day, ensure accessibility by assisting the elderly and persons with challenges with their specific needs (i.e. speaking clearly and taking appropriate time necessary with those electors that require extra assistance). You may call upon the assistance of the Poll Supervisor for this purpose as ballots are not to be left unattended;
12. Remember that your ballots are your responsibility. When you need to excuse yourself from your station, i.e. to use the washroom, for example, please ensure your ballots are safeguarded. If your workstation has a Floating DRO, use them, or ask the Poll Supervisor to cover;

## The Electronic Voters' List

For this Municipal and School Board Election, DRO's will utilize an electronic voters' list to record electors. Using this method will assist you with

processing voters more efficiently, help in balancing your ballots at the end of day, and provide the Clerk with valuable voter information for statistical reporting.

Each voter must be registered on the voters' list in order to receive a ballot. Electors who live in Town & own or rent other properties in Pelham may only vote once, at the poll designated for their place of residence.

## Determining School Support

School support information is included on the voters' list. Please note the following with regard to school support eligibility:

English Public	"EP"	White Ballot
English Separate	"ES" (1)	Yellow Header Ballot
French Public	"FP" (2)	Blue Header Ballot
French Separate	"FS" (1,2)	Blue Header Ballot

- Separate School support electors must be Roman, Greek or Ukrainian Catholic, regardless of where elector's children go to school. Use the Yellow Header Ballot for ES school support;
- In 2018, the French Public and French Separate School Trustees were acclaimed. There is no separate ballot for FP, FS or NR Electors. Use the BLUE one (Non-Resident);
- French language school supporter, electors must satisfy one of the following:
  - Elector's first language learned & still understood is French; or
  - Elector received primary instruction in French language in Canada; or
  - Elector's child has received primary or secondary instruction in French in Canada as a first language (French Immersion is not a French as a first language program).

## Non-Resident Electors

Non-Resident (N) Electors are electors who own or rent property in Town but live outside Pelham.

Changes in *Education Act* have resulted in 2 types of non-resident electors:

- Non-resident elector who owns or rents residential property is eligible to a ballot containing all municipal & applicable education races;
- Non-resident elector who owns or rents commercial or industrial property is entitled to ballot containing only municipal races (not school board races);




- Blue ballots will be for FS, FP and NR Electors;

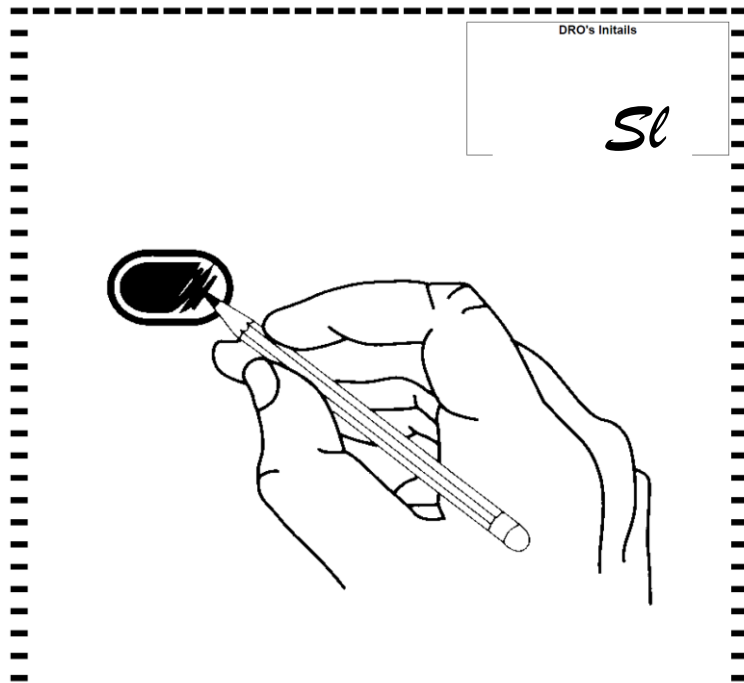
## The Ballots

- The Town of Pelham uses a 'composite' ballot;
- Elector is entitled to only one ballot which contains all races for which elector is eligible to vote;
- Ballots have the ability to be counted by the vote tabulation machine, which means instead of an **X** the elector completely fills in the oval to the right of the candidates name;
- The vote tabulation machine will reject the ballot if there is any marking on the back;

Sample Ballot Front:

WARD 1		English Public School Elector	
<b>TOWN OF PELHAM</b> <b>Municipal Elections</b> Act, 1996 (Section 41) October 22, 2018			
To Vote: Completely fill in the oval <input type="radio"/> beside the name(s) of the candidate(s) of your choice.			
			
<b>MAYOR</b> You are entitled to vote for <b>ONE (1)</b> candidate	<b>Regional Councillor</b> You are entitled to vote for <b>ONE (1)</b> candidate		
Gary Edward ACCURSI <input type="radio"/> Carla BAXTER <input type="radio"/> Marvin JUNKIN <input type="radio"/>	Dave AUGUSTYN <input type="radio"/> Brian BATY <input type="radio"/> Jim HAGAR <input type="radio"/> Diana HUSON <input type="radio"/>		
<b>COUNCILLOR, WARD 1</b> You are entitled to vote for <b>TWO (2)</b> candidates	<b>SCHOOL BOARD TRUSTEE</b> English Language Public District School Board of Niagara You are entitled to vote for <b>ONE (1)</b> candidate		
Mark BAY <input type="radio"/> Sidney BEAMER <input type="radio"/> Mike CIOLFI <input type="radio"/> James LANE <input type="radio"/> Richard RYBIAK <input type="radio"/> Marianne STEWART <input type="radio"/>	Nancy BEAMER <input type="radio"/> Mike BROUSSEAU <input type="radio"/> Dale Anne ROBINSON <input type="radio"/>		

Sample Ballot Back:



### Helping You Stay Balanced

DROs will be maintaining the electronic voters' list as well as a manual count, using a tally sheet. DROs are encouraged to also record the elector number on the collected voter notification card.

Here is a sample of the tally sheet:

Polling Place:	Date:
----------------	-------

Before issuing a ballot, the DRO must take the next available number from the chronological list of numbers below and insert that number in the VoterView electronic list relating to the elector's name. The DRO will then make a diagonal line through the number on the list below. This record will indicate the number of ballots you have issued during voting hours.

This form was marked by:

\_\_\_\_\_  
*Signature of DRO*

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40	41	42	43	44	45
46	47	48	49	50	51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70	71	72	73	74	75
76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100	101	102	103	104	105
106	107	108	109	110	111	112	113	114	115	116	117	118	119	120

## Exceptions

### **Incorrect Information on the Voters' List**

This situation will likely be identified by the Information Clerk once the elector arrives. However, if the elector presents an Application to Amend Voters List or indicates they wish to amend their information (school support, last time etc.), the DRO should refer this elector to the Revisions DRO as to not hold up the line. The Revisions DRO will enter the elector on the list and issue the correct ballot.

If elector refuses to make the change, issue the ballot noted on the voters' list – it is the only ballot the elector is entitled to.

If name or address of elector is listed incorrectly due to a minor typing error, the DRO may amend Voters' List to reflect correct information and issue a ballot. However, if the error is such that it would affect voter eligibility, elector shall be referred to Revisions DRO.

## **Voter Error in Marking Ballot; Declined Ballot**

If the elector realizes they have made an error in marking ballot or if the ballot is returned by the AccuVote Tabulator because it is defective, the voter may request a replacement ballot.

To issue a replacement ballot, the DRO shall:

1. Locate Elector on VoterView system. Voter will appear with the Yellow X. In the "Comments" column, click and enter the comment that a new ballot was issued; record the number as on the tally sheet.
2. Remember that your counts will now be "off" by 1 when you conduct your periodic balancing process.
3. The secrecy of the original ballot must be maintained. Accept the ballot from the elector upside down and mark it "Cancelled". Record this on the manual list next to the person's name, as well as the new "ballot number" issued.
4. This voter will have two ballot numbers.
5. Place the cancelled ballot in Envelope "A" (cancelled ballots). Put a "tick" mark on the outside of the envelope to help you keep track throughout the day.
6. Issue a new ballot to the elector.
7. If a voter is present, and after being registered declines to accept the ballot (or a replacement ballot in the case of an error), mark the ballot "declined" and place the ballot in the "Declined Ballots" envelope.
8. Although rare, this is not uncommon. This is a democratic right of an elector.
9. Note: If the elector returns and makes an attempt to vote later in the day, the voter must be refused. Do-overs are not permitted in this case.

## **Ballots Rejected by AccuVote Tabulator**

If a ballot is rejected by the tabulator, proceed with the "cancelled ballot" process. Monitor to look for "trends" if you get a number of rejected ballots; there may be an issue with your bundle.

## **Elector's Right to Vote is Challenged**

- If an elector's eligibility is challenged by the DRO or by a candidate or scrutineer, the DRO shall require the elector to perform a verbal oath or affirmation of qualification;
- Each DRO will be provided this oath. Hand it to the elector and ask them to read it;

- After elector reads the oath, enter this fact on the voters' list (computer) in the comments section; enter fact of objection and by whom;
- Issue appropriate ballot;
- If elector refuses to perform oath, deny the ballot and note "Refused to Swear" in comment section of the elector's name;
- If the elector refuses, the elector will not be permitted to vote – even if the elector returns later and agrees to take the oath at that time;
- Report unusual occurrences to your Poll Supervisor to enter in incident log.

### **Voters' Requiring Assistance**

- There may be electors attending your DRO station who require assistance to cast their vote;
- DRO shall require elector to perform oral oath of incapacity to vote without assistance;
- Each DRO will be provided with this form of oath;
- Once oath is taken, in the presence of the Poll Supervisor (and NO other person) either in the voting booth or at the DRO table (when no line-up) the DRO may mark the person's vote on the ballot paper and return the ballot to the secrecy folder;
- Voter and DRO will then deliver ballot to Vote Tabulator Operator;
- If there is a long line, the Poll Supervisor or a Floating DRO may assist the elector;
- For a voter who is visually impaired, a friend may accompany the voter into the voting booth and mark the voter's ballot, after taking the oral oath or affirmation of friend of elector;
- Offer magnifier sheet;
- Enter information in comment section of electronic voters' lists (i.e. "visually impaired; ballot marked by friend");
- No person other than who took the Oath of Secrecy shall be present during the marking of the ballot for a person unable to do so for themselves.

### **Can a Ballot be removed from the Polling Station?**

- A ballot shall only leave the polling station if the elector cannot leave their vehicle to vote;
- A Poll Supervisor and DRO may attend on a elector in their vehicle to assist;
- Two election officials must accompany the ballot at all times;

- DRO should make a record of this on the voters' list and the Poll Supervisor make a record in incident log;
- Under no circumstance shall a candidate or scrutineer be present at the marking of a ballot, other than their own;
- No person shall act as a friend for more than one voter.

### **Language Barriers**

- If DRO does not understand the language of the voter, an interpreter may be used;
- Voter is responsible to provide their own interpreter;
- DRO must administer Oral Oath of Interpreter.

### **Proxy Voting**

Proxy voting does not apply to the 2022 Municipal and School Board Election.

### **Ballot Issued to Wrong Person**

- If it appears that the elector has already voted, the person applying for ballot is entitled to vote provided they establish to the DRO satisfaction that they are the person whose name is on List of Electors and that their name was incorrectly crossed out;
- Issue the Oath or Affirmation of Qualification;
- Record information on comment section of the voters' list for that person;
- Issue the ballot according to instructions.

### **Extraordinary Circumstances**

Record all extraordinary circumstance in the comment section on the voters' list. This is internal. Only the Clerk's department will see the comments. Extraordinary circumstances may include, but are not limited to the following:

- Cancelled ballot: spoiled or defective ballot returned by the elector;
- Declined ballot: the elector declined to vote by returning the ballot to the DRO;
- Oath: anytime an elector or assistor is required to take an oath;
- Refusal of oath: anytime an elector refused to swear an oath;

### **Special on Demand Vote by Mail**

The alternative voting method Special on Demand Vote by Mail is offered to all electors during the 2022 Municipal and School Board Election. This

process is facilitated through the Clerk's department and should not directly effect in-person voting at a polling station.

However, DRO's may encounter the following two (2) situations:

**Scenario One (1):** Elector brings a completed Vote by Mail Kit to the Polling Station to deposit.

**Response:** The DRO or Poll Supervisor shall direct the elector to drop-off the completed kit at a ballot return station. During the advanced polls, the ballot return stations consist of: the Meridian Community Centre (business hours), Pelham Town Hall (in-office or drop-box) and Lincoln Pelham Union Maple Acres Branch (business hours).

On voting day, October 24, 2022 the elector may only deposit a completed kit to Pelham Town Hall. Completed kits shall not be left at a polling station.

**Scenario Two (2):** Elector attends a polling station to vote and while processing the elector, the DRO notices the yellow X next to the electors name with the comment "VBM".

**Response:** This means the elector has registered to receive or has deposited a completed ballot using the Special on Demand Vote by Mail system. The DRO is not to issue a second ballot. The DRO shall contact the Poll Supervisor who will confirm with the Clerk if a ballot has been received.

### **Closing the Voting Location:**

It is important to note that any elector's that are **inside the voting location** at closing time (8 p.m.), have the right to vote. DROs shall process all electors.

Candidates or scrutineers not present in the poll by 8:00 p.m. are not permitted entry. The Poll Supervisor is responsible to lock the polling location. The Poll Supervisor and Vote Tabulator Operator will be responsible for tabulation of the results, after all balancing of ballots is final.

DROs are asked not to begin packing up materials until they have balanced their ballots and completed the Statement of Ballot Account (see **Figure 2.0** and example of completed Statement of Ballot Account in **Figure 2.1**).



**DEPUTY RETURNING OFFICER  
STATEMENT OF BALLOT ACCOUNT 2018**

WARD 1 POLL \_\_\_\_\_

Total Ballots Issued by Clerk as verified by	Mayor, Regional, Ward (blue)	_____	Total
	Mayor, Regional, Ward, English Trustee (white)	_____	A
	Mayor, Regional, Ward, French Separate Trustee (yellow)	_____	

ORIGINAL STATEMENT TO BE RETURNED TO THE CLERK

(Do not fill in shaded areas)

	Total	TOTAL
Ballots issued by DRO to electors as per voter tally sheet and as noted on Voters' List		B
"Cancelled" Ballots returned by electors for replacement (Envelope A)	C	
"Declined" Ballots returned by elector - not voted/not replaced (Envelope B)	D	
"Defective" Ballots returned by AccuVote Official -not voted/not replaced (Envelope C)	E	
Total of Cancelled, Declined, and Defective Ballots	C + D + E	F
Unused Ballots (Envelope D)		G
Total Ballots	B + G	H

**Note:** B - F = I (Number of Votes Cast in Accu-Vote) **(H SHOULD EQUAL A)**  
 Box B \_\_\_\_\_ B  
 minus Box F \_\_\_\_\_ -F  
 = No. of votes at poll \_\_\_\_\_ I

Deputy Returning Officer (print name) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Poll Supervisor (print name) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

**Figure 2.0**

- A. Received From Clerk**
- B. Ballots You Issued (Tally Sheet #)**
- C. Over voted (cancelled)**
- D. Declined**
- E. Defective**
- F. Total of C, D,E**
- G. Unused**
- H. B + G = H**

DO NOT PLACE IN BALLOT BOX – ORIGINAL STATEMENT TO BE RETURNED TO THE CLERK  
 WARD 3 POLL Advance

**DEPUTY RETURNING OFFICER  
STATEMENT OF BALLOT ACCOUNT**

Ballots Issued by Clerk as verified by DRO (Total is transferred from Form EL25 (A) – Certificate & Receipt for Ballots)	Mayor & Ward Councillor Mayor, Ward Councillor & English Trustee Mayor, Ward Councillor & Separate Trustee Mayor, Ward Councillor & French Separate Trustee	_____	A	520
--	--	-------	---	-----

(Do not fill in shaded areas)	Description		TOTAL
Ballots issued by DRO to electors	This is the number on your ballot count sheet that equals the # shown on the voter's list	B	326
"Cancelled" Ballots returned by electors for replacement	Envelope "A" – i.e. overvoted	C	2
"Declined" Ballots returned by elector not voted - not replaced	Envelope "B" – i.e. protest	D	0
"Defective" Ballots returned by Vote Tabulator Operator	Envelope "C" – i.e. not voter, not replaced, cut wrong, rejected ballot & voter not present	E	0
Total of Cancelled, Declined, and Defective Ballots (C+D+E)	Transfer this amount "F" to line below **	F	2
Unused Ballots	Total of Envelope "D" and any batches unopened	G	194
Total # of Ballots (B+G)	"H" should be equal to "A"	H	520

Deputy Returning Officer (print name) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_ Box B 326 B  
 Poll Supervisor (print name) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_ minus Box F 2 -F\*\*  
**Note:** B - F = I (Number of Ballots Processed through AV Machine, issued by this DRO) = 324 I

**Figure 2.1**

The number you report to the Poll Supervisor, to balance with the Vote Tabulator, is "I" – the blue arrow. Each DRO will report and once the total balances with the Tabulator, you may begin packing up.



## Completing the Statement of Ballot Account

**Box A:** Ballots Received from Clerk: Refer to your "Certificate and Receipt for Ballots" form that was previously signed and transfer the number of ballots noted on certificate to section of the DRO Statement "Number of Ballots Received from Clerk."

**Box B:** This is the number of ballots that you issued. You can get this number from your Tally Sheet. Hopefully you have been successful in the periodic balancing done throughout the day. This is a total of all of the ballots you issued. Do not worry about cancelled, declined, defective, etc.

**Box C:** Ballots returned when elector requested a new ballot. Count the number of cancelled ballots and enter this number in Box C (these will be the ballots that you earlier placed in Envelope "A").

**Box D:** Did you have any electors who declined a ballot? Enter the number in Box D. Count the number of declined ballots from Envelope "B" and enter in Box D.

**Box E:** Were there any ballots that did not feed properly into the Vote Tabulator? I.e. cut wrong by the printer? These will have been placed in Envelope "C". Please count them and insert number in Box E. If none, enter 0.

**Box F:** Total Boxes C + D + E

**Box G:** This is a total of ballots that you did not issue. They are unused and include those still in unopened cello-wrap packaging. Assume those to be 100 and count the loose ballots. Include all three ballot faces. Bind these ballots together as best you can.

**Box H:** Add boxes B + G to total H. This MUST be the same as BOX A.

**Box I:** Transfer the total from Boxes B and F.

**Box I:**  $B - F = I$

"I" is the total number of ballots that were processed through the Vote Tabulator. All DRO totals are to be provided to Poll Supervisor who will add them together. This should match the final total of ballots counted by the vote tabulating machine.

## Closing the Polling Station

1. Assist with the close of the polling location at 8:00 p.m. and the take down and packing up of all supplies.

2. All laptops must be closed down, dismantled and packed into their carrying case. Unplug handheld scanner gun, power bars and internet hubs. Neatly place these items in the supply bag.
3. Follow the "Materials to Return" checklist carefully.
4. The Poll Supervisor will administer your Final Oath.
5. If the Poll Supervisor and Vote Tabulator require assistance, please help return supplies to Town Hall.

Note: Payment will be initiated by the Clerk's department and follow shortly after the election.

## Deputy Returning Officer Master Checklist

\*Remove from guide and utilize on Voting Day\*

### Opening the Poll

- Arrive by 9:00 a.m. and assist with setting up the polling station.
- Organize work station.
- State Oral Oath to Poll Supervisor.
- Provide your DRO initials on form from Poll Supervisor.
- You may witness the zero (0) totals by Vote Tabulator Operator.
- Synchronize your Laptop with time on Vote Tabulator.
- At 10:00 a.m.: begin ballot issuance.

### Process Electors

- View elector identification.
- Scan Voter Card. Press button on scanner wand; it works best using a "zoom" rather than "scan" (in/out not up/down).
- Compare voter card to screen and confirm with identification. Collect voter notification card.
- Electronically strike off voter.
- DRO enters ballot number on screen (box under "comment").
- DRO strikes through ballot number on tally sheet.
- Issue the Ballot according to DRO Manual instructions.
- Record unusual circumstances (i.e. Oath, Proxy, etc.).
- If voter does not have identification, issue Form 9 Oath of Identification.

### Balancing Tips

- Remember if you cancel a ballot, circle or highlight the ballot number on your tally sheet. Cross off the new number (this elector has two

numbers but only one ballot goes through the Tabulator – the other stays with the DRO in the appropriate envelope).

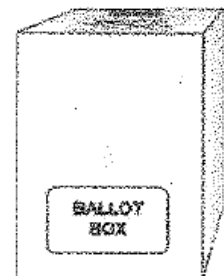
- If you have consistently written the ballot number on the voter card, in the computer system and crossed off the tally sheet, you should be able to balance throughout the day.
- Remember: total *issued* may not equal total *voted* (through Tabulator).
- Subtract cancelled, declined, defective from tally sheet (they should be circled). This should be number *voted* and reported to Supervisor periodically. Count the ballots in the envelopes provided for this purpose as a way to double check. Place a “tick” mark on outside of envelope for cancelled, declined, etc.
- The computer screen will have a number on it – top right corner. This number should be the number of voters processed and the number you are balancing to, therefore the number to give to Supervisor (see above).
- If numbers don’t jive, review voter notification cards and cross-reference with tally sheet and computer.

### Close of Poll

- **8:00 p.m.:** Process any electors who are present.
- **Poll Supervisor will lock the polling station.**
- Prepare the Statement of Ballot Account. Refer to your Manual.
- Complete two-part “Entry as to Number of Electors Who Voted”. The number written should match Box “I” on the Statement of Ballot Account form.
- Compile tally sheet, Statement of Ballot Account and Entry as to Number of Electors form copies for Poll Supervisor.
- Check all materials to be placed in the ballot box and give to Supervisor.

### DRO Material for Ballot Box

- One copy of “Certificate of Ballots Received” EL25A
- Form 9 – Declaration of Identity - envelope
- Cancelled Ballots – seal envelope; “tick” label count
- Declined Ballots – seal envelope; “tick” label count
- Unused Ballots (LOOSE ONLY at Advance Poll)
  - – seal envelope; enter #
- Statement of Ballot Account (black ink)



TO BE PLACED IN  
BALLOT BOX AT  
CLOSE OF VOTING

- Attach Entry as to Number of Electors Who Voted to DRO copy of Statement form (above)- Form 1282 (black ink)

Provide your Poll Supervisor with:

- Statement of Ballot Account (red ink)
- Ballot Tally Sheet (blue)
- Form 1282 - Entry as to number of electors who voted (red ink copy)
- Form 1272 - Final oath (receive from Poll Supervisor for signature)
- Application to Amend the Voters' List (to be returned to Clerk)

Please the following in the ballot box with your Poll Supervisor:

- Statement of Ballot Account (black ink)
- Form 1282 - Entry as to number of electors who voted (black ink copy)
- Form EL25A - Certificate and Receipt for Ballots (ballot box copy)
- Ballots in Envelopes A, B, C and D (ALL Cancelled, Declined, Defective and Unused Ballots - loose only)

**MUNICIPAL  
ELECTION**  
**October 24 2022**



**Pelham Election Team:  
Vote Tabulator Guide**



**Election Team**

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## Election Position Roles and Responsibilities

Your role as a Vote Tabulator Operator (“VTO”) is an important one, and it is imperative that you become familiar with all of the details of this position before you begin your posting, as election rules and procedures change from election to election. Please read this guide carefully as it will assist you to know what to do under the current rules and in various situations.

### Poll Supervisor

The Poll Supervisor is in charge of overseeing the Polling Location.

Responsibilities include:

- In conjunction with each DRO, deliver of all supplies to the facility, i.e. all ballots, supplies, voting screens, etc.;
- Maintain order at the polling station throughout the day;
- Canvas the interior and exterior of the polling station to ensure no campaign material is visible;
- Administer oaths to election staff;
- Sign-in each scrutineer or candidate present at the polling station;
- Answer any questions from the media and scrutineers;
- Assist in guiding electors;
- Ensure the proper opening and closing of the poll;
- Accompany the VTO from the polling location to be in charge of the prompt delivery of the ballot boxes, memory card, vote tabulator and all printouts to Town Hall, and ensure this is done as soon as possible after the poll closes at 8:00 p.m.; and
- Ensure the delivery of all remaining materials to Town Hall after the polling location has closed and packed up.

Please note, each Poll Supervisor will be appointed as a Deputy Returning Officer.

### Deputy Returning Officer (“DRO”)

The DRO is responsible for confirming voter’s information and issuing the correct ballot type to electors and providing instruction on how to vote for each race. The DRO is responsible to ensure the ballots they issued balance at all times.

Responsibilities include:

- Deliver supplies and ballots to the polling station;
- Assist polling station team with setup;
- Count and verify that the correct number of ballots have been received and sign the applicable form provided by the Clerk;
- Process electors within a specific voting poll by scanning the voter cards;

- If the elector does not have voter card, manually search the elector;
- Verify the elector's identification and ensure the elector's name and address are correct;
- If changes are required, send directly to the Revisions Deputy Returning Officer;
- If no changes are required, automatically strike voter off the voters' list;
- Initial the back of the ballots in the appropriate space;
- Distribute the correct ballot to the voter and instruct the voter on the applicable races and how to mark ballot;
- Place ballot into secrecy sleeve;
- Maintain the tally sheet and periodically balance ballots issued; and
- Assist with closing of polling station procedures.

Note: a Floating DRO will be provided busy polling station locations to provide assistance where necessary.

### **Revisions Deputy Returning Officer**

The Revisions DRO is responsible to update the voters' list for electors not on the list, or to make corrections to voter information, and then issue the correct ballot to the elector.

Responsibilities include:

- Assist polling station team with setup;
- Make changes to elector information as required;
- Add electors to the voters' list and required;
- Issue the correct ballot to the elector;
- Assist DRO's with periodic balance processes; and
- Assist with closing of polling station procedures.

### **Vote Tabulator Operator ("VTO")**

The VTO's role is input the complete ballot into the vote tabulation machine to read the vote and tabulate the results onto a memory card, while protecting the secrecy of the ballot at all times.

Responsibilities include:

- Assist polling station team with setup;
- Produce tabulation tapes before the poll opens to indicate a zero balance on the machine;
- Allow scrutineers to observe and place their initials on all tape copies;
- Insert ballots into the vote tabulation machine using the secrecy sleeve;
- Ensure the secrecy of the voter's ballot at all times;



- If the ballot is rejected, the VTO will discreetly direct the elector to the DRO in order to receive a new ballot (the Poll Supervisor can help in cases such as this);
- Initiate the “ender card” process and produce the tabulation tapes at the close of voting;
- Assist with closing of polling station procedures;
- Accompany Poll Supervisor to return Tabulator and supplies to Town Hall.

### **Information Clerk**

The Information Officer is the first person the elector sees when entering the polling location. A positive greeting will set the tone for the elector’s voting experience.

Responsibilities include:

- Assist polling station team with setup;
- Kindly greet each elector;
- Canvas the interior and exterior of the polling station to ensure no campaign material is visible;
- Ensure information on voter card matches the voter’s identification;
- Direct the voter to the appropriate DRO;
- If changes to the elector’s information are required, or the voter is not on the voters’ list, send the voter to the Revisions DRO;
- keep the line moving in an organized manner;
- Answer questions as needed;
- Assist with closing of polling station procedures.

### **The Role of a Vote Tabulator Operator**

Further to the above noted responsibilities, the VTO is responsible for feeding the ballots into the vote tabulator. The vote tabulator scans a specified area on the ballot to read the votes and tabulate the results onto a memory card.

Additional responsibilities include:

- Turn on the tabulator and print tapes that indicate a zero balance
- Inserting ballot into the machine;
- Assist voters in the automated voting process;
- Educate voters on the status of their ballot if the vote tabulator gives a message;
- Close the poll, initiating the “ender card” process and generate the printing of the results tapes and power down the vote tabulator machine; and

- Pack up the equipment to be delivered back to Town Hall. The Poll Supervisor will call in the results to Town Hall.

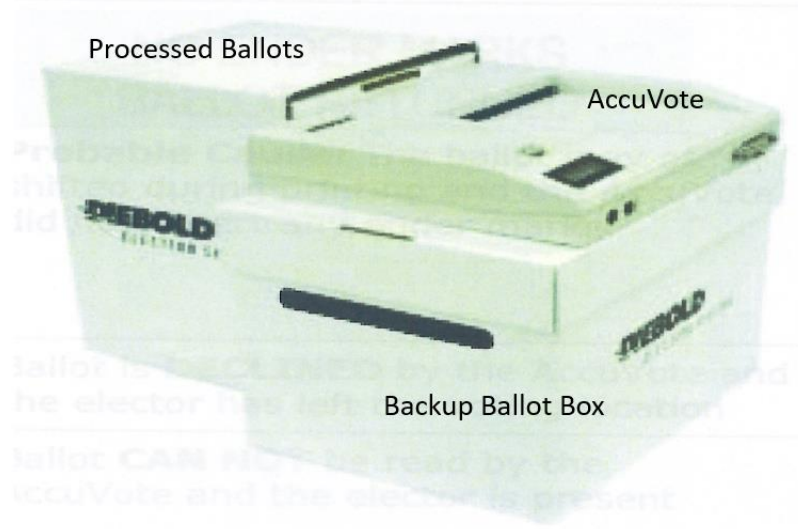
### **Before Advance Poll(s)/ Voting Day**

- Before any advanced poll or voting day, pick up assigned AccuVote Tabulator from Town Hall between 8:30 am and 4:30 pm. The tabulator will have been set to “election mode” and must remain in a secure location with the tabulator seal intact;
  - Appointments recommended for pick-up;
- You may make arrangements with the Clerk to retrieve your assigned tabulator on voting day (October 24, 2022) between 8:30 a.m. and 9:00 a.m. if this is preferred;
- Verify that the label contained on the vote tabulator and ballot box(es) identify your voting location. If not, contact the Clerk immediately: Holly Willford, 905-658-2865;
- You are responsible for the safekeeping of the tabulator at all times, once you have retrieved it from Town Hall.

### **Set Up and Opening the Polling Station**

- Arrive at your assigned location no later than 9:00 a.m. and upon arrival, immediately identify yourself to the Poll Supervisor for attendance purposes; obtain name tag identification;
- Set up the vote tabulator station near the exit door. A suggested layout will be provided to your Poll Supervisor.

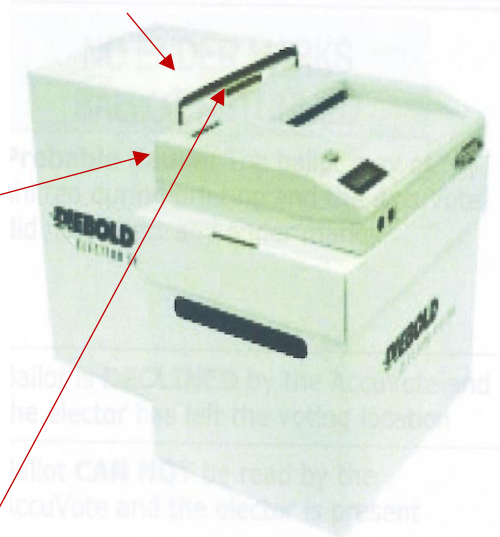
The final AccuVote set up looks like this:



## Preparing the Vote Tabulator to Receive Ballots

- Again, verify that the label contained on the vote tabulator and the ballot box(es) identify your voting location. If not, contact the Clerk immediately;
- Remove the AccuVote tabulator from the carrying case and ensure that the memory card is in place and is secured with a lock – cross reference the serial number on the lock with the serial number noted on the back of your name tag;
- Fifteen (15) minutes prior to opening the poll, in the presence of Poll Supervisor, election officials and any scrutineers, unlock the printer cover and turn on the AccuVote;
- Ensure a “zero totals report” prints automatically;
- Check tape for the following:
  - Time on zero tape coordinates with visible clock (advise Poll Supervisor and DRO’s to sync their computer clock);
  - Correct ward number;
  - All appropriate races appear on tape;
  - Zeros are printed beside each candidate’s name;
- Sign the zero totals report and obtain signatures of the Poll Supervisor and any scrutineers or candidates present;
- Affix the zero totals report to the AccuVote tabulator – visible to voters. This must be left posted throughout the entire day;
- Print a second copy of the zero tape and without removing it from the AccuVote tabulator, sign the back and allow anyone authorized to be present to sign it as well;
- Roll the tape up. It must remain attached to the roll and remain in the paper compartment of the AccuVote tabulator;
- Replace and lock the printer cover;
- If the totals do not show zero for all races, or if the location noted on the tape is incorrect, alert the Poll Supervisor who will contact the Clerk immediately;
- In the event that the Clerk has not resolved this matter prior to 10:00 a.m. when the polls open, the VTO shall feed the ballots into the auxiliary compartment of the ballot box until the AccuVote tabulator is made operational. Do not feed ballots into the vote tabulator until the issue has been resolved;
- Ballots that have been placed in the auxiliary compartment will be fed through the machine at the close of the Poll, under the supervision of the Poll Supervisor, who will document this event.

- In the presence of at least one witness, verify that there are no ballots in the ballot box and show to those persons present, including scrutineers and/or candidates at the polling location, that the ballot box is empty;
- Place the AccuVote tabulator atop the auxiliary compartment;
- Affix the appropriate seals (**Ballot Box Seal during Voting Hours**) to the ballot box, visible to electors. The seal may be initialed by anyone authorized to be present. Note the time on the seal;
- Insert the ballot box at the rear of the AccuVote tabulator ensuring that the metal ballot guide is aligned with the box opening;
- Ensure that the public counter located on the front of the AccuVote tabulator registers zero and that the ward location is correct. You are now ready to accept voted ballots;
- Familiarize yourself with the initials of each DRO to ensure that the marked ballot contains the initials of one of the DROs in your polling station prior to insertion into the AccuVote tabulator;
- Poll Supervisor will provide you with a sample of the DRO initials that will be located on the back of each ballot;
- Always keep at least one spare secrecy folder in your possession to use if an elector presents their completed ballot to you without one;
- Establish a queuing line where people will line up. Mark a line with masking tape on the floor, six feet in front of the AccuVote tabulator for voters to line up behind.



### Processing Electors

- It is important to maintain the secrecy of a ballot. Always ensure that a ballot is not exposed from its secrecy folder. Keep everyone but the voter whose ballot you are placing in the tabulator away from the tabulator and behind the queuing line you have established;
- Receive a ballot contained in a secrecy folder from the voter. If the voter does not have a secrecy folder, provide them with one. If a voter has not placed their ballot correctly in the secrecy folder, request that they do so. Please avoid doing this yourself. If it is placed in the secrecy folder and you can't see the DRO initials, you might just need to "flip" it over;
- Request the voter to remain with you until the ballot has been successfully received by AccuVote tabulator;

- Without removing the ballot from the secrecy folder, verify the initials of the DRO then insert the secrecy folder containing the ballot into the feed area of the vote tabulator while holding the sleeve firmly with your thumbs and index fingers. When you place a ballot in the tabulator feeder, allow the machine to freely accept it (do not hold onto the ballot once the tabulator accepts it);
- It is important to maintain the secrecy of a ballot. Always ensure that a ballot is face down in the secrecy folder. Note: A feeder jam will occur if the vote tabulator is unable to draw the ballot out of the secrecy folder;
- Retain the secrecy folder – the Poll Supervisor or Information Clerk will retrieve a stack from you and disburse back to the DROs periodically;
- Ensure that the AccuVote counter has increased by one (1) as an indication that the ballot has been accepted and counted. (It is important to keep track of the number of ballots);
- Retain at least one secrecy sleeve so that it can be issued to a new voter if necessary.


## Ballot



- The Town of Pelham uses a 'composite' ballot;
- The elector is entitled to only one ballot which contains all races for which elector is eligible to vote;
- Ballots have the ability to be counted by AccuVote tabulator, which means:
  - Instead of an X the elector completely fills in an oval to the right of candidate's name;
  - DRO should explain to elector how and where to complete ballot;
  - DRO should also point out to elector to refer to explanations on ballot and in voter booth.

Sample Ballot Front:

**WARD 1** English Public School Elector

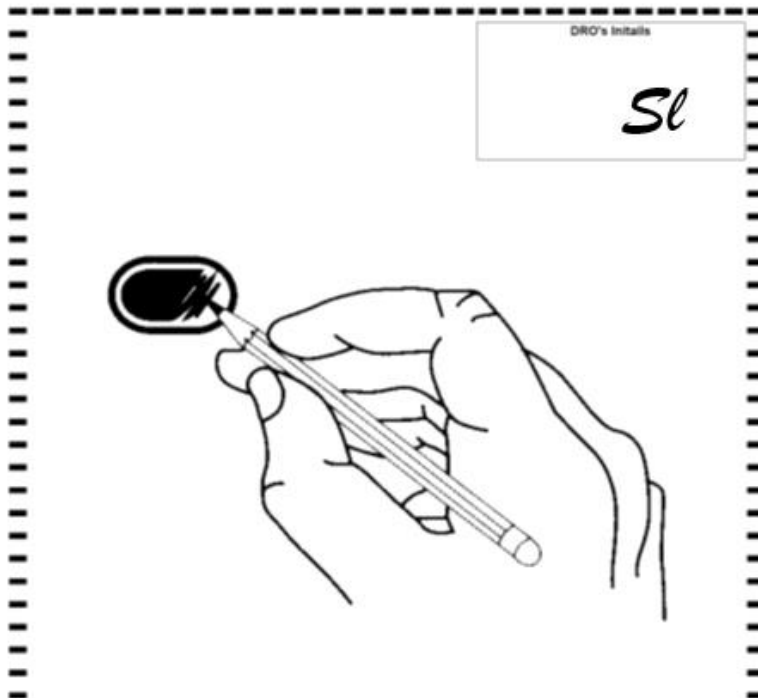
**TOWN OF PELHAM**  
**Municipal Elections**  
 Act, 1996 (Section 41)  
 October 22, 2018

To Vote:  
 Completely fill in the oval  beside the name(s) of the candidate(s) of your choice.

<b>MAYOR</b>	<b>Regional Councillor</b>
You are entitled to vote for <b>ONE (1)</b> candidate	You are entitled to vote for <b>ONE (1)</b> candidate
Gary Edward ACCURSI <input type="checkbox"/>	Dave AUGUSTYN <input type="checkbox"/>
Carla BAXTER <input type="checkbox"/>	Brian BATY <input type="checkbox"/>
Marvin JUNKIN <input type="checkbox"/>	Jim HAGAR <input type="checkbox"/>
	Diana HUSON <input type="checkbox"/>
<b>COUNCILLOR, WARD 1</b>	<b>SCHOOL BOARD TRUSTEE</b>
You are entitled to vote for <b>TWO (2)</b> candidates	English Language Public District School Board of Niagara
Mark BAY <input type="checkbox"/>	You are entitled to vote for <b>ONE (1)</b> candidate
Sidney BEAMER <input type="checkbox"/>	Nancy BEAMER <input type="checkbox"/>
Mike CIOLFI <input type="checkbox"/>	Mike BROUSSEAU <input type="checkbox"/>
James LANE <input type="checkbox"/>	Dale Anne ROBINSON <input type="checkbox"/>
Richard RYBIAK <input type="checkbox"/>	
Marianne STEWART <input type="checkbox"/>	

Sample Ballot Back:



Note: the marks surrounding the ballot are important to the AccuVote. They are called “ender marks”.

## Periodic Procedures throughout the Day

- Periodic balancing of the number of ballots processed by AccuVote against ballots issued by DROs is important. The ballot count should equal ballots issued by DROs minus any cancelled, declined or defective ballots the DROs have replaced. This frequent balancing will save time at the end of the day. A good time to perform this task is during “lull” periods or once every two (2) hours;
- Replace ballot box after every 500 ballots or so. This prevents ballots inside ballot box from jamming with ballots feeding through the AccuVote. Place a seal over feeding slot of the full ballot box (use the ballot box seal during voting hours, form 1264 and place it over the hole where ballots are fed). Ensure and demonstrate that the new ballot box is empty, seal it (“during voting hours” seal) and align it with the AccuVote machine. Resume processing ballots;
- Store the full and sealed ballot box under your table and ensure it is not moved or touched by anyone but you.
- Pre-fill some of the ballot box seals – they are difficult to write on once applied to the ballot box. This will help you transition to a new ballot box smoothly.
- Before 8:00 p.m., pre-fill the number of ballot box seal at “close of vote” forms 1264/1 as you have ballot boxes used, to prepare for closing process.

## AccuVote Messages, Problems and Solutions

### Ballot Rejection

The Vote Tabulator is programmed to give a warning message for:

- Blank Ballot Warning;
- Overvote Warning;
- Ambiguous Marks Warning;
- Undervote Warning;

If the tabulator rejects a ballot, check the operator screen which will explain what happened. Tabulators are programmed to accept blank and under-voted ballots. Tabulators are programmed to decline over-voted ballots.

In the event the AccuVote fails to operate: remain calm! Immediately notify Poll Supervisor who will contact the Clerk.

Use the back-up ballot box/ auxiliary compartment until the issue is



resolved. Process these ballots at the close of poll.

Below is a chart showing messages, probable cause and solutions!

Message	Probable Cause	Solution
<b>BALLOT NOT READ PLEASE RE-INSERT</b>	Unit could not orient ballot due to difficulty reading timing marks; or Ballot identification information incorrect	Re-feed ballot into AccuVote unit. If ballot cannot be successfully read, voter should be provided a new ballot.
<b>BLANK VOTED CARD SEE OFFICIAL</b>	No votes were read on the ballot card.	Tabulator will return blank voted card when all races are blank. Ask voter to return to voting booth and re-mark.* If elector is confused or concerned, ask Poll Supervisor to assist.
<b>OVER VOTED RACE RACE #</b>	Elector has intentionally or mistakenly over-voted on one or more races (i.e. voted twice for Mayor). (Note: AccuVote only displays the first race it reads as over-voted).  Note: Tabulator will not count the over-voted race, but will count the others.	Explain message to voter, and ask the Elector if it was their intention to over-vote. <ul style="list-style-type: none"> <li>▪ <b>If not:</b> direct them to DRO where a new ballot will be issued;</li> <li>▪ <b>If yes:</b> process the ballot as it has been marked by the Elector, using the AccuVote Override feature: <ul style="list-style-type: none"> <li>▪ Hold the <b>"YES"</b> Key and feed the ballot.</li> </ul> </li> </ul>
<b>UNDEFINED MARK RACE #</b>	A ballot has one or more voting ovals filled with a check, X, or some other mark which fills less than 15% of the voting oval.	The ballot should be returned to the voter for proper remarking, so that all voting ovals are completely filled in.
<b>NO ENDER MARKS BALLOT RETURNED</b>	The ballot may have shifted during printing and the AccuVote did not detect ender marks (they are on the corners of the ballots).	Insert the ballot again or try feeding it from the opposite end. <b>If not:</b> direct elector to the DRO where a new ballot will be issued. Take note if the problem continues from one



		DRO, who should then replace the bad batch of ballots.**
--	--	--

Electors are encouraged to stay with the VTO until their ballot has been successfully accepted. If the ballot is declined and the elector has left, the ballot shall be returned to the appropriate DRPO to be marked appropriately.

If the ballot cannot be read and elector is present, direct the elector to the appropriate DRO for issuance of a replacement ballot.

### Can a Ballot be removed from the Polling Station?

- A ballot shall only leave the polling station if the elector cannot leave their vehicle to vote;
- A Poll Supervisor and DRO may attend on a elector in their vehicle to assist;
- Two election officials must accompany the ballot at all times;
- DRO should make a record of this on the voters' list and the Poll Supervisor make a record in incident log;
- Under no circumstance shall a candidate or scrutineer be present at the marking of a ballot, other than their own;
- No person shall act as a friend for more than one voter.

### Closing the Polling Station

It is important to note that any elector's that are inside the voting location at closing time, have the right to vote. DROs shall process all electors and their ballots shall be tabulated by the VTO.

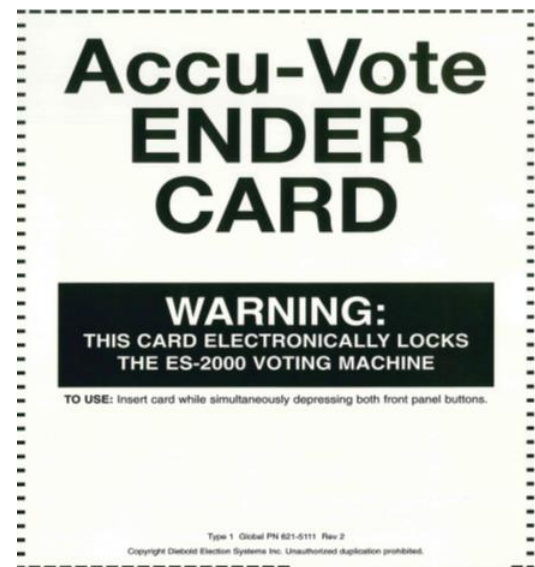
Candidates or scrutineers not present in the poll by 8:00 p.m. are not permitted entry. The Poll Supervisor is responsible to lock the polling location. Poll Supervisor and Vote Tabulator Operator will be responsible for tabulation of the results, after all balancing of ballots is final.

### Ender Card Process – Printing the Results Tape

1. Permit all eligible electors who are present in the Polling Station before 8 p.m. to cast their vote;
2. Inspect the interior of the back-up ballot box to ensure it is completely empty;
  - a. If **yes**: Proceed to step 3;
  - b. If **no**: Contact the Poll Supervisor immediately and process in their presence (scrutineers and additional election staff may

witness if desired). The VTO shall maintain the secrecy of the vote will feeding through the vote tabulation machine. The VTO shall ensure the ballot count on the machine is increased by one with every ballot feed.

3. Once certain all ballots have been processed, apply the ballot box seal labelled "at close of vote" and place the seal over the slot where the ballot have been fed.
4. Before beginning the ender card process, confirm with the Poll Supervisor that all ballots are accounted for (ensuring that the ballot counts balance).
5. Begin the **ender card** process noted below:
  - a. Record number of ballots identified by the vote tabulation machine counter and tell the Poll Supervisor;
  - b. Unlock and remove the cover on the vote tabulation machine;
  - c. Unroll the zero tape to avoid jamming;
  - d. Secure against receiving more ballots by holding "yes" and "no" simultaneously and insert the **ender card** (it doesn't matter if it is face up or down);
  - e. Election report will begin printing immediately on the zero tape in the compartment;
  - f. Sign the first copy along with the Poll Supervisor and any scrutineer and/or election staff present;
  - g. Cut this tape and after printing the second copy, roll the full report – with zero tape and results intact on one tape and place it back in compartment;
  - h. Print a second copy and sign;
  - i. Provide results to the Poll Supervisor to telephone to the Clerk;
  - j. **Do not remove** the memory card – it should remain in the vote tabulation machine with the deal intact; and
  - k. Secure the ballot box to ensure no ballots can be removed or fall out during transport using the seal.



## Cleaning Up

\*Please do not begin cleaning up/packing until you have completed running the results tape and reported results\*

- Once you have generated the results tape and reported the results to the Poll Supervisor, you will begin to clean up your station;
- All ballot boxes are to be properly sealed before transport back to Town Hall;
- Place the AccuVote in the carrying case and ensure all extension and power cords as well as the keys are secured in the bag. DO NOT remove the Memory Card;
- The Poll Supervisor will administer your final oath;
- The Poll Supervisor and VTO will return all election supplies to Town Hall.

**MUNICIPAL  
ELECTION**  
**October 24 2022**



**Special On Demand Vote By Mail  
Procedure**



**Vote By Mail**

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## 1. Introduction

Electors may request a Special on Demand Vote by Mail Kit to allow them to cast a Ballot without attending a voting location in person.

## 2. Definitions

In this procedure:

“**Act**” means the *Municipal Elections Act, 1996*, S.O. 1996, c.32.

“**AccuVote Tabulating Machine (“AccuVote”)**” means optical scanning vote tabulator that reads ballots in order to tabulate results of votes.

“**Ballot**” means the composite ballot used for casting a vote.

“**Ballot Box**” means cardboard container that counted ballots are deposited into which is compatible with the AccuVote.

“**Ballot Drop Box**” means designated secured container to store sealed ballot secrecy envelopes containing marked ballots before processing through AccuVote.

“**Ballot Counting Centre**” means the Milette Room located in the Town Municipal Office, 20 Pelham Town Square, Fonthill.

“**Ballot Return Station**” means the Clerk’s Department, Town of Pelham Municipal Office, Meridian Community Centre or Lincoln Pelham Union Library Maple Acre Branch.

“**Candidate**” means a person who has been nominated under section 33 of the Act.

“**Clerk**” means the Town Clerk, or designate, for Town of Pelham and Election Returning Officer responsible for the election.

“**Designate/Election Official**” means Town staff or appointed election officer as designated by the Clerk to carry out election duties as required.

“**Elector**” means a person qualified to vote in the Municipal and School Board Election.

“**Identification**” means voter identification – proof of identity and qualifying address will be provided through declaration on Registration form.

**“Memory Card”** means the card programmed to read and tabulate the results of ballots processed through the AccuVote tabulator.

**“Non-Counted Envelope”** means an envelope to store Ballots which have been inadvertently spoiled, rejected, damaged, etc., and as such will not be counted.

**“On Demand Special Ballot”** means an alternative method of voting provided to Electors upon request.

**“Scrutineer”** means a person appointed in writing by a certified Candidate to observe the election process.

**“Secure Location”** means a locked vault in custody of the Clerk’s Department.

**“Special Ballot Registration”** means a required process to receive an On Demand Special Ballot kit.

**“Voters’ List”** means a list of voter/ elector data compiled from the Preliminary List of Electors provided by the Municipal Property Assessment Corporation (“MPAC”), as amended by the Clerk.

### **3. Election Personnel**

- 3.1. The Clerk is responsible to conduct the Municipal and School Board Election, establish the procedures and rules, and to interpret the procedures and rules pursuant to the Act and all Ontario Regulations thereto, except as varied by a Court [s.12(1)].
- 3.2. The Clerk may appoint in writing, Deputy Returning Officers and such other officials as required to assist in the administration, management, security and control of the election process, including On Demand Special Ballot.
- 3.3. Written appointments and delegation of duties of Deputy Returning Officers and Election Officials shall include the authority to require any person to furnish proof of identity or qualifications pursuant to The Act.

### **4. Notice for Vote by Mail Process**

- 4.1. Notice of On Demand Special Ballot and Registration Procedure will be posted on the Town’s website.

- 4.2. Notice of Voters' List revisions - qualified Electors may apply using the prescribed form "Application to Amend the Voters' List" to add, correct or delete their name from the Voters' List.
- 4.3. Voter Notification Package will be delivered by Canada Post in the fall of 2022.

## **5. Voters Required to Provide Voter Identification as Per the Act**

Submission of Identification is not required. There is a declaration on the Voter Registration form.

## **6. Vote by Mail Ballot**

- 6.1. Qualified Electors who have registered for On Demand Special Ballot by September 26, 2022 will receive an On Demand Special Ballot Kit via Canada Post regular mail service or in-person pickup. The Voters' List will be marked "VBM" beside the Elector's name to prevent the potential for additional Ballots being issued to the same Elector.
- 6.2. Qualified Electors who have not registered for an On Demand Special Ballot Kit by September 26, 2022 but find themselves in a circumstance wherein they are unable to attend an in-person voting station may make special arrangements with the Clerk to receive the On Demand Special Ballot Kit. The delivery of the kit will be determined on a case by case basis.

## **7. Vote by Mail Process**

- 7.1. Qualified Electors whose names appear on the Voters' List, wishing to obtain a On Demand Special Ballot Kit, are required to register by 2:00 p.m. on September 26, 2022 using either of the following methods:
  1. In-Person by appointment; or
  2. Email communication to [hwillford@pelham.ca](mailto:hwillford@pelham.ca);
  3. Telephone call with follow-up written communication; or
  4. First class mail.

Where under the supervision of the Clerk, the On Demand Special Ballot Kits will be distributed to eligible Electors. All Electors are required to sign the declaration on the Registration form which will



serve as Identification. On Demand Special Ballot Registration forms are available from the Clerk's Department, Town of Pelham Municipal Office, 20 Pelham Town Square, Fonthill, or Town website.

The Clerk or Designate will review the Registration form to ensure it is fully and correctly completed by:

- Confirming Elector's identity, by confirming name and qualifying address are on the Voters' List;
- Update the Elector's record on the Voters' List indicating they will receive a Special Ballot on Demand by using the "Record Elector-Vote By Mail" process, and in the comments section, adding "VBM Ballot #", noting the date;
- Sign and date Registration form in the "Town of Pelham" section; and
- If Registration form is rejected, the Clerk or Designate shall notify Elector, explain rejection and provide opportunity for correction where possible.

- 7.2. The pre-registration process will commence on September 1, 2022 during normal office hours, Monday to Friday 8:30 a.m. to 4:30 p.m. and conclude on September 26, 2022 at 2:00 p.m. The Registration form must contain an original signature.
- 7.3. Application must be made in writing, on the prescribed form, and the declaration must have an original signature.
- 7.4. All On Demand Special Ballots, included in the Special Ballot Kits, must be returned either by in-person drop off, Canada Post first class mail using the envelope provided, or deposited into one of the Ballot Return Stations. On Demand Special Ballot returns will not be accepted at any of the voting poll locations or at advance polls.
- 7.5. Any Elector who registers for an On Demand Special Ballot Kit and decides to attend their voting poll location to vote must surrender their On Demand Special Ballot Kit to the Deputy Returning Officer before being permitted another Ballot to vote at their voting poll location.
- 7.6. Qualified Electors who have not registered for an On Demand Special Ballot Kit by September 26, 2022 but find themselves in a circumstance wherein they are unable to attend an in-person voting

station may make special arrangements with the Clerk to receive the On Demand Special Ballot Kit. The delivery of the kit will be determined on a case-by-case basis.

- 7.7. The Special On Demand Kit shall consist of:
  - a. One Composite Ballot, initialed in the designated Deputy Returning Officer space, by the Clerk or Designate;
  - b. Voting instructions;
  - c. One Ballot Secrecy Envelope;
  - d. One Voter Declaration form;
  - e. One Voter Declaration form envelope;
  - f. One postage-paid reply envelope addressed to the Returning Officer; and
  - g. Such other material as the Clerk determines necessary.
- 7.8. If a qualified Elector does not receive their On Demand Special Ballot Kit or if the On Demand Special Ballot Kit is lost or destroyed, a new On Demand Special Ballot Kit may be issued by attending the Clerk's Department, Town of Pelham Municipal Office. At the Clerk's discretion, requests to have a replacement On Demand Special Ballot Kit delivered to an Elector's qualifying address will be considered. The Clerk will confirm that the Elector has signed up and is qualified, and will have the Elector sign a declaration before a new On Demand Special Ballot Kit will be issued. It will be noted on the Voters' List that the Elector was issued a new On Demand Special Ballot Kit (VBM-R).
- 7.9. Only black felt pen or black ink shall be used to mark the Ballot. A Ballot will be rejected by the AccuVote if it is marked with any other colour ink or pencil. If a Ballot is rejected, the Clerk will have the discretion to mark a replacement Ballot with the Elector's voting choices with the approved marker and the rejected Ballot will be placed in the Special Ballot Non-Counted Ballot Envelope, marked "replaced". A Ballot sheet account will be maintained for all On Demand Special Ballot Kits issued and Ballots returned.
- 7.10. Upon receipt of the On Demand Special Ballot Kit, the Elector shall complete the Ballot, marking in accordance with the instructions on the Ballot, place it in the labelled Ballot Secrecy Envelope and seal the envelope. This envelope shall not be folded once it contains a

completed Ballot. The Elector shall complete the Voter Declaration form by signing it and printing their name; tearing or cutting the declaration along the perforation line and placing it in the Voter Declaration Envelope, with the signature visible in the envelope window. Both sealed envelopes shall then be placed in the prepaid Return Voting Envelope. The prepaid Return Voting Envelope may be mailed or delivered to one of the Ballot Return Stations.

- 7.11. In addition to using regular mail service, the Ballot Return Stations will be established for those Electors wishing to deposit, or have deposited, their Return Voting Envelope directly to the Clerk's Office, Town Municipal Offices, 20 Pelham Town Square, Fonthill, the Meridian Community Centre, 100 Meridian Way or to the Lincoln Pelham Union Library Maple Acre Branch, 781 Canboro Road, Fenwick, or using the secure drop box at the rear entrance to the Town of Pelham Municipal office. See below.
- 7.12. Electors are responsible for ensuring the Ballot is returned to the Clerk's Department by 8:00 p.m. on Election Day. Should Electors choose to return their Ballot via Canada Post, Electors should ensure enough time is provided for regular post delivery. Electors may also consider depositing their Return Voting Envelope at a designated Ballot Return Station, as identified below:

The Ballot Return Station at Meridian Community Centre ("MCC"):

At any time when the MCC is open

Commencing September 1, 2022 and concluding October 21, 2022 at 4:30pm.

The Ballot Return Station at Pelham Town Hall:

Secure Ballot Return Station: Clerk's Office

Commencing September 1, 2022, Monday to Friday 8:30 a.m. to 4:30 p.m. to Voting Day October 24, 2022, 8:30 a.m. until 4:30 p.m.

Or secure mail drop box situated at the east entrance to Town Hall before 8:00 p.m. on October 24, 2022.

The Ballot Return Station at Lincoln Pelham Union Library Maple Acre Branch

At any time when the library branch is open. Commencing September 1, 2022 and concluding October 21, 2022 at closing of branch.

- 7.13. On Voting Day, October 24, 2022, the Town of Pelham Municipal Office will close at 4:30 p.m. After 4:30 p.m., Return Voting envelopes can be deposited in the Municipal Office drop box until the close of voting at 8:00 p.m., using the accessible drop box located at the rear entrance of the Town of Pelham Municipal Office.
- 7.14. Return Voting envelopes deposited in the Town of Pelham Municipal Office drop boxes at any time before October 24, 2022 and no later than 8:00 p.m. will be considered as having been mailed. Return Voting envelopes deposited at the MCC or Maple Acre Library Branch before closing of the branch on October 21, 2022 will be considered as having been mailed.
- 7.15. A separate Return Voting Envelope will be provided to each individual Elector. Any Return Voting Envelope which contains more than one Voter Declaration form or more than one inner Ballot Secrecy envelope, shall be treated in the following manner:
  - a. Return Voting envelopes containing equal numbers of Ballot Secrecy envelopes to Voter Declarations will be counted;
  - b. Return Voting envelopes containing more Ballot Secrecy envelopes to Voter Declaration forms or more Vote Declaration forms to Ballot Secrecy envelopes will be rejected; and
  - c. In the event a Voter Declaration form could be inside the sealed Ballot Secrecy envelopes, the Ballot Secrecy Envelope will be held by the Clerk until the Ballot processing begins. Upon opening the Ballot Secrecy envelope, if there is no Voter Declaration form it will be rejected. If there is a Voter Declaration form in the Ballot Secrecy Envelope it will be accepted and processed through the AccuVote.
- 7.16. Each day as Return Voting Envelopes are received either by mail, in-person or at a Ballot Return Station, the Clerk, in the presence of one other Designated Election Official, will:
  - a. Open the returned On Demand Special Ballot Return Envelope and remove the Voter Declaration Envelope and Ballot Secrecy Envelope;
  - b. Review the Voter Declaration form to ensure it has been signed;
  - c. Ensure the voter's name has not already been struck off the Voters' List as having voted;

- d. Ensure the Ballot Return Secrecy Envelope has been sealed and if it has not been sealed, shall immediately seal the envelope without removing or examining the Ballot;
  - e. Date stamp the Voter Declaration form and file the forms by date and by poll number, and sorted alphabetically, which shall be made available to Candidates or Scrutineers to review, on appointment;
  - f. Complete the VoterView electronic master Voters' List Vote By Mail tracking database noting the date the Ballot was returned, and note the date in the comment section for the specific Elector ; and
  - g. Store the Ballot Secrecy Envelope in a secured, fireproof location within the Clerk's Office.
- 7.17. Candidates may continuously extract a copy of the updated Voters' List, including On Demand Special Ballot Ballots returned and Electors who vote at the Advance Poll opportunities, using the Candidate Access Portal.
- 7.18. At 6:00 p.m. on Voting Day, the sealed Ballot Secrecy Envelopes will be moved to the Special Ballot Counting Centre located in the Miclette Room, Town of Pelham Municipal Office, as designated by the Clerk. It is recognized that there is no way to predict the number of Special Ballot Ballots that will be utilized. To ensure the secrecy of the Ballot, all On Demand Special Ballot Ballots will be processed through an AccuVote tabulator which was assigned to Fire Station #2 Advance Vote, October 1, 2022, to ensure there is no ability to identify. After processing the On Demand Special Ballots, the ender-card process will be conducted and the results tape will be generated.
- 7.19. Special Ballots received by the Clerk after 8:00 p.m. on Voting Day shall not be counted, but shall be date and time stamped and retained for the statutory document retention period. 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; and, when the 120-day period has elapsed, the Clerk, (a) shall destroy the Ballots, in the presence of two witnesses; and (b) may destroy any other documents and materials related to the election (Section 88(1) (2) *Municipal Elections Act, 1996*).
- 7.20. Ballots not received by 8:00 p.m. on October 24, 2022 will not be counted and Electors who received an On Demand Special Ballot Kit

but no Ballot returned, or Ballots returned late, will be marked on the VoterView system using the "Unrecord" process.

- 7.21. If a qualified Elector does not receive their On Demand Special Ballot Kit or if the Kit is lost or destroyed, a new On Demand Special Ballot Kit may be issued by contacting the Clerk. The Clerk, or Designate, will confirm the Elector is qualified and require the Elector to complete the Application for Replacement of Special Ballot Kit form. Information will be noted on the VoterView Database for Ballot tracking purposes.

## **8. Rejection of Ballot(s)**

In the event a Voter Declaration form may be inside the sealed Ballot Secrecy Envelope, the Ballot Secrecy Envelope will be held by the Clerk until 8:00 p.m. on October 24, 2022. Upon opening the Ballot Secrecy Envelope, if there is no Voter Declaration form it will be rejected. If there is a Voter Declaration form in the Ballot Secrecy Envelope it will be accepted.

In addition to rejecting cast Ballots for violations of the Act, the following conditions will also cause a Ballot to be considered rejected:

- a. If upon opening the Return Voting Envelope the Voter Declaration Form is not signed;
- b. If upon opening the Return Voting Envelope there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms;
- c. If there are identifiable marks on the sealed Ballot Secrecy Envelope that identify the Elector;
- d. If upon opening the sealed Ballot Secrecy Envelopes at Miclette Committee Room, the envelope contains more than one Ballot; and
- e. If upon opening the sealed Ballot Secrecy Envelopes at Miclette Committee Room, the envelopes contains a Ballot which has been over voted in all races, the Accuvote will accept a Ballot for races that have been marked correctly or under voted.

## **9. Counting Procedure**

- 9.1. At the time of writing, the Town of Pelham Municipal Office is open to the walk-in public. On Voting Day, October 24, 2022, the Town of Pelham Municipal Office will close to the public at 4:30 p.m. Certified Candidates and authorized Scrutineers will be permitted to attend to observe the vote counting process for the Special Ballot Ballots, in accordance with public health guidelines as may be required.

Candidates and/or Scrutineers must advise the Clerk of their intent to witness in advance of Voting Day and be present at 5:45 p.m. to be granted access to the building.

- 9.2. The Miclette Room at the Town of Pelham Municipal Office will be established as the Special Ballot Counting Centre, together with the Advance Vote tabulation. Only the Clerk and Election Officials, certified Candidates or authorized Scrutineers will be permitted to remain in the Miclette Room.
- 9.3. The doors to the Miclette Room will be closed at 8:00 p.m. on October 24, 2022, and only Election Officials will be allowed to enter thereafter. Candidates and Scrutineers already present may remain; however, those leaving the room after 8:00 p.m. will not be permitted to return.
- 9.4. Cell phones or other electronic equipment will not be permitted in the Miclette Room other than for Election Officials. Scrutineers shall not interfere with the vote count in any manner. Should they do so, they shall be required to leave the facility when so requested by the Election Official.
- 9.5. No campaigning material will be allowed within the Miclette Room.
- 9.6. At 4:30 p.m. on October 24, 2022, the secured sealed Ballot Secrecy Envelopes received by the Clerk or Designate will be delivered to the Miclette Room.
- 9.7. The sealed Ballot Secrecy Envelopes will be opened and counted by processing through the AccuVote Tabulator that was assigned to the Fire Station #2, October 1, 2022 Advance Vote polling station. No results tape will be generated until after 8:00 p.m. The number of Ballots processed in this manner will be recorded on a separate Statement of Ballot Account form specifically relating to On Demand Special Ballots issued. Using a new Ballot Box and the AccuVote from Fire Station #2, October 1, 2022 Advance Vote polling station, the Election Official will proceed to deposit the special Ballots through the AccuVote directly into the new Ballot Box. The number of Ballots counted on the AccuVote will be monitored throughout the counting process to ensure it equals the number of special Ballots received, and that the end total is the sum of Station #2 October 1, 2022

Ballots and On Demand Special Ballots processed on October 24, 2022.

- 9.8. The AccuVote tabulator and Memory Card will be the same as that used for the Advance Poll, October 1, 2022, Fire Station #2. This will ensure that Elector's Special Ballot Ballots cannot be identified. A separate Ballot Box will be used for the On Demand Special Ballot Ballots to ensure the Advance Vote Ballot Box remains with the seals intact.
- 9.9. In the event a Ballot is accidentally torn when the sealed Ballot Secrecy Envelope is opened, the Clerk or Election Official shall mark a new Ballot for counting and place the damaged Ballot, with a note, in the Not Counted Envelope.
- 9.10. After the completion of the count of the Ballots, which are in addition to the Advance Poll, October 1, 2022 Fire Station #2, that balance with the number on the AccuVote tabulator, the statement of results for the Ballots shall be completed, signed by the Clerk and Election Official and, if desired, initialed by any Scrutineer present for the count.
- 9.11. A separate duplicate Deputy Returning Officer Statement of Ballot Account for the On Demand Special Ballot will be completed and placed in the Ballot following the close of poll procedures utilized at Advance Voting and the Ballot Box will be clearly marked "On Demand Special Ballot Ballots Processed".
- 9.12. Once all Ballots have been counted, the Ballot Box will be sealed and returned to the secured/locked Clerk's Department vault for storage.

## **10. Security of the Ballots/Special Ballot Kit Prior to Voting**

- 10.1. Ballots will be pre-printed using an external provider and all Ballots will be under the locked security in custody of the Clerk, keyed separately from the remainder of Town Hall for security purposes. All Ballots and Special Ballot Kits will be secured/locked in the Clerk's Department Vault. Ballots for the On Demand Special Ballot Kits will be identical to Ballots used at all polling stations and will be part of the overall controlled Ballot inventory.



- 10.2. The Clerk, in conjunction with Canada Post, will provide an On Demand Special Ballot Kit to each person identified on the Special Ballot Registration Form as of 2:00 p.m. on September 26, 2022 or it can be picked up at the Town of Pelham Municipal Office if prearranged.
- 10.3. On Demand Special Ballot Kits that are required after the pre-registration deadline will be considered on a case-by-case basis by contacting the Clerk directly. Every effort to accommodate requests will be made, including no-contact porch drop methods of personal delivery by the Clerk. Porch drop deliveries must provide for the Clerk witnessing retrieval of the Ballot kit. No Ballot envelope will be left unattended. If there is no one present at the dwelling to accept the porch drop at the agreed upon time, the Ballot will not be delivered and separate arrangements must be made. This will be noted in the Clerk's office records.

## **11. Security of Ballot During/After Voting**

- 11.1. Upon receiving the prepaid Return Voting Envelope by mail, in-person or from the Ballot Return Station(s), the Envelope will be opened and upon being verified, the sealed Ballot Secrecy Envelope will be stored in a secured and fireproof location in the Clerk's Office.
- 11.2. Unissued, reserve Ballots will remain in the custody of the Clerk.
- 11.3. At 6:00 p.m. on Voting Day, the sealed Ballot Secrecy Envelopes will be moved by the Clerk or Election Official to Miclette Room, the envelopes will be opened, and the Ballots tabulated.
- 11.4. An Election Official will remain in the Miclette Room from 6:00 p.m. until all vote are tabulated and the final results tape is run.
- 11.5. After the count, the duplicate original Statement of Results (including Advance Poll, October 1, 2022 Station #2 and On Demand Special Ballot Ballots) will be placed in the Ballot Box with the Ballots, which will be sealed and initialed by the Clerk or Designate and then secured/locked in the Clerk's Department vault together with all Ballot Boxes utilized in the Municipal and School Board Election.

## **12. Scrutineers**

- 12.1. Each Candidate may appoint, on the prescribed form, Scrutineers to be present to observe the election process and the counting of Ballots in the Miclette Room. Scrutineers will be permitted entry at 5:45 p.m. and will remain in the Miclette Room in accordance with public health guidelines.
- 12.2. At the Miclette Room, a Scrutineer representing a Candidate may be present at the Ballot opening/counting table to oversee the count, upon submission of his/her written appointment. The Scrutineer will be required to take the oral oath of secrecy. Only one Scrutineer per Candidate may be present at one time at the table.
- 12.3. All Scrutineers must comply with the procedures that are set out on their appointment form and any applicable public health procedures as they relate to the COVID-19 pandemic.

## **13. Emergencies**

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

## **14. Amendment to this Document**

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

**MUNICIPAL  
ELECTION**  
**October 24 2022**



**Town of Pelham  
Candidate Guide**



**Candidate Guide**

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## Introduction

Congratulations on your decision to run for an elected office in the Town of Pelham. This guide has been assembled to help you better understand the roles of elected officials, the conduct of candidates and their campaign teams during the election process, and is intended as a supplement to the guide published by the Province of Ontario for Ontario municipal council and school board elections.

This guide provides you with additional information pertinent to candidates running for local municipal (Town of Pelham and Region of Niagara) or school board office in the Town of Pelham. Candidates are responsible to ensure they comply with all requirements of the *Municipal Elections Act, 1996*, (the "Act") as amended, including election financing regulations and qualifications for nomination.

Additional information may be obtained by contacting the Clerk's Department during regular business hours, Monday-Friday, 8:30 a.m. to 4:30 pm.

All election information and notices will be published on the Town's webpage [www.pelham.ca/election](http://www.pelham.ca/election) and official notices will be published through local media outlets.

## The Role of the Clerk

Section 12(1) of the Act states:

A Clerk who is responsible for conducting an election may provide for any matter or procedure that:

- Is not otherwise provided for in an Act or regulation; and
- In the Clerk's opinion is necessary or desirable for conducting the election. 1996, c.32, Sched.,s. 12(1).

With this in mind, various procedures have been developed with regard to the conduct of the Town of Pelham 2022 Municipal Election, and will be provided to all registered candidates.

## Third Party Advertising: An Overview

The Act introduced a framework for third party advertising on April 1, 2018. The regulations have been introduced to manage unregulated third party advertising that has been increasing during the past several municipal elections.

A third party advertisement is a message in any medium (billboard, newspaper, radio, social media advertisement, etc.) that supports or opposes a candidate on the election ballot. Third party advertising is also an advertisement message in any medium that supports or opposes a Yes/No referendum question on the ballot.

It is now an offence for any third party advertiser to incur any expense on third party advertising during the restricted election period if they are not registered with the Clerk of the Municipality, or municipalities in cases of more than one, where the advertising occurred. Registration allows a third party advertiser to promote or oppose any candidate in the Municipality.

Third party advertising does not include advocacy or issues-based advertising. Groups that do public outreach can continue their work throughout the election period. As well, advertising that does not cost money to post or broadcast, such as comments made on social media, are not considered to be third party advertising.

### **Eligibility**

Only individuals, corporations and unions can register as third party advertisers and/or make contributions to third party advertisers as they are not permitted to make contributions to candidates. Third party advertising must be done independently of candidates. Candidates are not able to direct a third party advertiser.

The following are eligible to file as a third party advertiser:

- An individual who is normally a resident of Ontario;
- Corporations that conduct business in Ontario; and
- Unions who have bargaining rights for employees in Ontario.

The following are ineligible to file as a third party advertiser:

- A registered candidate of the municipal election;
- A Federal political party, association or registered candidate;
- A Provincial political party, association, or registered candidate;
- The Crown; and
- A Municipality or Local Board.

### **Requirements**

Third party advertisers must register with each Municipality where they intend to advertise should there be multiple municipalities.

- Third party advertisers must file a notice of registration with the Town Clerk in person or by agent. Registration forms are available in the Town Clerk's Office. The registration form must be filled in completely;
- Third party advertisers must sign a declaration of qualification; and
- Registration period: May 2, 2022 to October 21, 2022.

### **Mandatory Information on Advertisements**

Third party advertisements must contain:

- Name of registered third party advertiser;
- Municipality where the third party advertiser is registered;
- For print advertisements: Contact information for the third party advertiser (phone number, mailing address, or email address);
- For radio advertisements: A statement indicating who paid for the advertisement; and
- Information to be provided to Broadcasters/Publishers. Third party advertisers must provide broadcasters/publishers doing the third party advertising with the following information in writing:
  - Name of the registered third party advertiser;
  - Municipality where the third party advertiser is registered;
  - Name, address and phone number of the agent/person interacting with the broadcaster/publisher on behalf of the third party advertiser; and
  - Ensure the third party advertiser is aware of their obligations pursuant to section 88.3(5) of the Act.

### **Campaigning**

Candidates and third party advertisers are permitted access into apartment buildings, condominiums, non-profit housing co-ops and gated communities from 9 a.m. until 9 p.m. in order to campaign.

Landlords and condominium corporations are not allowed to prohibit tenants or owners from displaying campaign signs in their windows.

Candidates and third party advertisers are required to identify themselves on campaign advertisements and signs, so that it is clear who is responsible for each sign and advertisement that appears or is broadcast. For example: "This ad is brought to you by 'John Doe,' 'Corporation Name' or 'Union Name.' "

### **Office of the Mayor**

The Mayor is described by the *Municipal Act, 2001*, Section 225, as the head of Council. The primary legislative role of the Mayor is:



- To act as the Chief Executive Officer of the Municipality;
- To preside over Council meetings;
- To provide leadership to Council;
- To represent the Municipality at official functions; and
- To carry out the duties of the Head of Council under this Act or any other Act.

## **Role of Council Members**

The role of Council is described in the *Municipal Act, 2001*, Section 224, is:

- To represent the public and to consider the well-being and interests of the Municipality;
- To develop and evaluate policies and programs of the Municipality;
- To determine which services the Municipality provides;
- To ensure that administrative practices and procedures are in place to implement the decisions of Council;
- To maintain the financial integrity of the Municipality; and
- To carry out the duties of Council under this or any other Act.

## **Candidate Eligibility and Qualifications**

To run for Mayor, Councillor or Regional Councillor a candidate must:

- Be a Canadian Citizen on Election Day;
- Be at least 18 years of age on Election Day;
- Be a resident of the Municipality or a non-resident owner or tenant of land in the Municipality, or the spouse or partner of an owner or tenant of land in the Municipality;
- Not be disqualified by any legislation from holding municipal office;
- Submit a completed and legible Form 1;
- Provide 25 signatures from eligible voters endorsing the nomination upon registration; and
- Pay the required nomination fee.

To run as a Trustee for a local school board a candidate must:

- Be a Canadian Citizen on Election Day;
- Be at least 18 years of age on Election Day;
- Be eligible to be an elector of that school board for which the person is a candidate;
- Not be disqualified by any legislation from holding municipal office;
- Submit a completed and legible Form 1; and
- Pay required nomination fee.

## Disqualifications

The following persons are disqualified from holding office:

- An employee of the Municipality (if you are running for municipal council) or school board (if you are running for school board trustee) unless a leave of absence has been granted;
- A judge of any court, a member of the Legislative Assembly or the Senate or the House of Commons;
- A Crown employee within the meaning of the Public Service Act who is a Deputy Minister or who is in a position or classification designated in the regulations made under that Act for the purposes of Section 11 thereof;
- An inmate of a penal or correctional institute;
- One who ceases to be a Canadian Citizen;
- One who is not a resident, owner or tenant in the Municipality;
- One who is prohibited from voting in an election according to the *Municipal Elections Act, Municipal Act or Education Act*;
- One who has violated financial requirements for filing financial information; and
- Despite the above disqualification, Members of Parliament (MPs), Members of Provincial Parliament (MPPs) and Senators may be nominated for municipal office without having to resign their current seat in Parliament. However, by 2 p.m. on August 19, 2022 (Nomination Day) MPs, MPPs, and Senators will be required to resign their current seat should they wish to continue to seek municipal office.

## How to Be Nominated

### Nomination Period

The nomination period for the 2022 Municipal and School Board Election begins on Monday, May 2, 2022 and continues to Nomination Day, Friday, August 19, 2022. Nomination papers must be filed with the Clerk during regular business hours (8:30 a.m. to 4:30 pm) by appointment. On Nomination Day, nominations may be submitted only between the hours of 9:00 a.m. and 2:00 p.m.

### Nomination Endorsements

Twenty Five (25) endorsements must accompany the nomination, in the prescribed form, "Nomination Paper – Form 1" and "Endorsement of Nomination – Form 2". Copies are available through the Office of the Clerk, or through the Town's election webpage.

## Nomination Forms and Fees

Nominations must be submitted on the prescribed form and are to be submitted to the Clerk together with payment of the required nomination fee (\$200 for Head of Council and \$100 for all other offices). Payment may be in cash, debit, certified cheque or money order. Credit card payments are not accepted. Filing fees will be refunded if all documents required under subsection 88.25(1) are filed on or before 2:00 p.m. March 31, 2023. The nomination papers must be filed in person by either the candidate or an agent of the candidate. Candidates are required to provide proof of identity and qualifying address within the Town of Pelham when the nomination paper is submitted.

Under the Act, the Clerk will certify or reject the nominations of candidates on or before 4:00 p.m. on August 22, 2022. A candidate who wishes to withdraw their nomination must notify the Clerk in writing by 2:00 p.m. on August 19, 2022. This withdrawal letter may not be faxed or scanned – an original signature is required on all election documents. Candidates who withdraw must submit a financial statement to cover all financial transactions up to the time of withdrawal.

A declaration of qualification must be taken before a Commissioner of Oaths. The Clerk, Deputy Clerk and Legislative and Committee Coordinator can administer this oath. If an agent is filing the nomination on behalf of the candidate, the candidate's declaration must be commissioned prior to the agent filing.

## 2022 Municipal Election Key Dates

<p><b>Monday, May 2, 2022</b> to <b>Friday, August 19, 2022</b> (MEA 31 and 33(4))</p>	<p><b>Nomination Period:</b> Nomination forms may be filed by candidates beginning Monday, May 2, 2022 and on any day thereafter prior to Nomination Day, at any time when the Clerk's Office is open (Monday to Friday, 8:30 a.m. to 4:30 p.m.) and on Nomination Day, Friday, August 19, 2022 when nomination forms may be filed between the hours of 9:00 a.m. and 2:00 p.m.</p>
<p><b>Monday, May 2, 2022</b> to <b>Saturday, December 31, 2022</b> (MEA 88.24)</p>	<p><b>Campaign Period:</b> The campaign period begins when a candidate has filed the nomination form and ends on December 31, 2022. Alternative time periods are in effect if the candidate withdraws the nomination, if the Clerk rejects the nomination, or the candidate extends his/her campaign and is continuing to campaign to erase a deficit.</p>

<p><b>Monday, May 2, 2022 to Friday, October 21, 2022</b> (MEA 88.6)</p>	<p><b>Third Party Advertising:</b> Individuals, corporations or trade unions may file with the Clerk to be a registered third party for the election in the prescribed form. Restrictions apply as to who may register.</p>
<p><b>Sunday, July 31, 2022</b></p>	<p><b>Last Day for MPAC to Deliver the Preliminary List</b></p>
<p><b>Friday, August 19, 2022</b> (MEA 31 and 33(4))</p>	<p><b>Nomination Day:</b> Last day for filing nominations. Nominations, in the Required Form, filed on this date may only be filed between the hours of 9:00 a.m. to 2:00 p.m. <b>Third Party Advertising:</b> Filings for registration accepted Monday, May 2, 2022 to Friday, October 21, 2022.</p>
<p><b>Monday, August 22, 2022</b> (MEA 35; 37)</p>	<p><b>Certification of Nomination Forms and Acclamations:</b> The Clerk shall certify filed nomination forms prior to 4:00 p.m. Immediately after 4:00 p.m., the Clerk shall declare any acclaimed eligible candidates to be duly elected.</p>
<p><b>Thursday, September 1, 2022</b> (MEA 23)</p>	<p><b>Voters' List:</b> The Clerk shall make the list of voters available to persons entitled. The list is for election purposes only and, as such, viewing will be supervised.</p>
<p><b>Thursday, September 8, 2022 to Thursday, September 29, 2022</b></p>	<p><b>Pelham Farmers' Market:</b> Clerk's' Department staff will be available at the Pelham Farmers' Market each Thursday to provide an opportunity for electors to check/confirm information and make application to correct one's own information. Voter Lookup Service will again be available on the Town's website.</p>
<p><b>Thursday, September 1, 2022 to Monday, October 24, 2022</b></p>	<p><b>Revision to the Voter's List - Application to Add, Remove or Correct One's Own Information:</b> Individuals may make application to the Clerk requesting that their name/information be added, removed or corrected.</p>
<p><b>Monday, October 24, 2022</b></p>	<p><b>Election Day: Voting opportunities will be held between the hours of 10:00 a.m. and 8:00 p.m. Voting Locations will be published and voter notification packages provided.</b> <b>Information with respect to Advance voting opportunities and Special On Demand Mail in Ballots will be brought to Council once established by the Clerk.</b></p>

<b>Tuesday, October 25, 2022</b>	<b>Declaration of Results:</b> The Clerk will declare the results of the election of candidates and the result of any vote upon a by-law or question "as soon as possible after voting day".
<b>Tuesday, November, 15 2022</b>	<b>Term of Office Commences:</b> Elected members must take the oath of office prior to taking their seat. Inaugural Meeting will be held November 21, 2022 at a time and place to be determined.
<b>Saturday, December 31, 2022</b>	<b>Campaign Period Ends:</b> Deadline to provide Clerk with written notification of deficit and continuation of campaign. Candidates may file financial information.
<b>Friday, March 31, 2023</b>	<b>Filing Date:</b> Deadline for filing financial statements by 2:00 p.m. Penalties for non-compliance may apply.

## Offices to be Elected

**Mayor:** One (1) to be elected at large within the Town of Pelham. The Mayor also serves as a Regional Councillor.

**Ward Councillors:** Six (6) to be elected, two from each of three wards: Ward One, Ward Two and Ward Three.

**Regional Councillor:** One (1) to be elected at large within the Town of Pelham to represent the Town at Niagara Regional Council.

**English Language Public School Board Trustee:** One (1) to be elected at large, shared between Pelham and Thorold. Nominations filed with Town of Pelham.

**English Language Catholic District School Board Trustee:** One (1) to be elected at large, shared between Grimsby, Lincoln, West Lincoln and Pelham. Nominations filed with Town of Grimsby.

**French Public School Board Trustee:** One (1) to be elected at large, shared between Fort Erie, Niagara Falls, Niagara-on-the-Lake, Pelham, Port Colborne, St. Catharines, Welland, Thorold and Wainfleet. Nominations filed with City of Welland.

**French Separate School Board Trustee:** One (1) to be elected at large, shared between Fort Erie, Pelham, Port Colborne, Wainfleet and Welland. At time of publishing, nominations filed with City of Welland.

## Scrutineers

Each candidate may appoint, in writing, any number of persons as are necessary to act as a Scrutineer to represent them at the voting place and to be present during the counting of the votes. Only one Scrutineer per candidate may be in the voting place for each vote tabulating machine. If a candidate enters the voting place, they are considered to be a Scrutineer.

Scrutineers must be appointed, in writing, and upon request shall show proof of their appointment to an election official. If no written proof is provided, the Scrutineer may be denied entry into the voting place by the Poll Supervisor. Forms are available from the Clerk for this purpose.

## Rights and Privileges

Candidates and Scrutineers have the following rights:

- To be present when ballot boxes and materials related to the advance voting and the ballot boxes and statement of the results on election day are being delivered to the Clerk;
- To enter the voting place 15 minutes before it opens and to inspect the ballot boxes and the ballots, and all other election documents but not so as to delay the opening of the voting place;
- To place their own seal on the ballot box after the close of voting on an advance vote so ballots cannot be withdrawn or deposited without breaking the seal;
- To sign the statement of the results of an election; and
- To place their own seal on the ballot box after the counting of the votes so that ballots cannot be taken out or deposited on Election Day.

Candidates and Scrutineers are prohibited from the following:

- Attempting, directly or indirectly, to interfere with how an elector votes;
- Attempting to campaign or persuade an elector to vote for a particular candidate;
- Displaying a candidate's election campaign material in a voting place, including vehicles that are parked at the voting location;
- Compromising the secrecy of the voting;
- Interfering or attempt to interfere with an elector who is marking a ballot;
- Obtain or attempting to obtain, in a voting place, any information about how an elector intends to vote or has voted; and
- Communicating any information obtained at a voting place about how an elector intends to vote or has voted.

## Sign Regulations

Candidates should reference Town of Pelham By-law No. 3987(2018), being a by-law to regulate Election Signs within the Town of Pelham.

Additionally, By-law No. 122-2013, as amended, of the Regional Municipality of Niagara prohibits the placement of signs on Regional road allowances at any time. Any election signs will be removed from the road allowance of Regional Roads by Regional staff forthwith.

## Prohibition of Canvassing in Voting Places

The Clerk is the lessee of the premises used as voting places. As the lessee of such premises, the Clerk does not permit electioneering of any nature in or on the premises used as a voting place on Election Day, and during any advance polls. The premises are deemed to include the entire building and property on which it is located.

Section 48(2) of the Act provides as follows:

“No person shall display a candidate’s election campaign material or literature in a voting place.”

The Poll Supervisor is instructed to remove forthwith from any voting place any material, campaign buttons, or literature of any nature which may be deposited therein. Periodic checks will be made by election staff throughout advance polls and on voting day. This includes campaign material visible in any vehicle. It is a candidate’s responsibility to ensure their campaign team is aware of this and all election requirements.

## Definition of Residence

In determining the eligibility of electors, one must examine the meaning of residence. Provisions exist to allow for the homeless to be enumerated and vote.

Section 2 of the Act reads as follows:

“2(1) For the purposes of this Act, a person’s residence is the permanent lodging place to which, whenever absent, he or she intends to return.

2(2) The following rules apply in determining a person’s residence:

1. A person may only have one residence at a time.
2. The place where a person’s family resides is also his or her residence, unless he or she moves elsewhere with the intention of changing his or her permanent lodging place.

3. If a person has no other permanent lodging place, the place where he or she occupies a room or part of a room as a regular lodger or to which he or she habitually returns is his or her residence.”

There are specific exceptions for students who may have residences in two local municipalities at the same time.

## **Preliminary List of Electors**

The Preliminary List of Electors (“PLE”) for the Town of Pelham is prepared by the Municipal Property Assessment Corporation (“MPAC”) and forwarded to the Clerk.

Eligible electors are encouraged to check [www.voterlookup.ca](http://www.voterlookup.ca) to ensure they are on the Voters’ List and that their information is correctly entered.

## **Revision of the Preliminary List of Electors**

The PLE will be reproduced as the Voters’ List by September 1, 2022. Applications for amendments to the Voters’ List will be accepted by the Clerk commencing on September 1, 2022 and ending at 8:00 p.m. on Election Day.

## **Special on Demand Vote by Mail**

Electors may request a Special On Demand Vote By Mail Kit to allow them to cast a ballot without attending a voting location in person.

Qualified electors who have registered for an On Demand Special Ballot will receive an On Demand Special Ballot Kit via Canada Post regular mail service or in-person pickup. All electors are required to sign the declaration on the registration form which will serve as identification. On Demand Special Ballot Registration forms are available in the Clerk’s Department, Town of Pelham Municipal Office, 20 Pelham Town Square, Fonthill, or [www.pelham.ca](http://www.pelham.ca).

All On Demand Special Ballots included in the Special Ballot Kits must be returned either by in-person drop off, Canada Post first class mail or deposited into one of the “Ballot Return Stations” located at the Town of Pelham Municipal Building, 20 Pelham Town Square, Fonthill, Meridian Community Centre, 100 Meridian Way or at the Lincoln Pelham Union Library Maple Acre Branch, 781 Canboro Road, Fenwick, during regular branch hours. On Demand Special Ballot returns will not be accepted at any of the voting poll locations or at advance polls.

Ballots not received by 8:00 p.m. on October 24, 2022 will not be counted and electors who received an On Demand Special Ballot Kit but no ballot



returned, or ballots returned late, will be marked on the VoterView system using the “Unrecord” process.

The Miclette Room at the Town of Pelham Municipal Office will be established as the Special Ballot counting centre, together with the advance vote tabulation. Only the Clerk and election officials, certified candidates or authorized scrutineers will be permitted to remain in the Miclette Room. Special Ballot on Demand ballots will be tabulated beginning at 6:00 p.m.

Please refer to the On Demand Special Ballot Procedure for additional information.

### Advance Voting Opportunities

Advance votes will be held at the following locations on the dates and times indicated below:

Saturday, October 1, 2022 10:00 a.m. – 8:00 p.m.	Pelham Fire Station #2 766 Welland Road	All Wards; All Polls Advance Voting
Saturday, October 15, 2022 10:00 a.m. – 8:00 p.m.	Pelham Meridian Community Centre – Accursi Room 100 Meridian Way	All Wards; All Polls Advance Voting
Tuesday, October 18, 2022 10:00 a.m. – 8:00 p.m.	Old Pelham Town Hall 491 Canboro Road	All Wards; All Polls Advance Voting

### Election Day

Election Day is Monday, October 24, 2022. Voting places will be open from 10:00 a.m. to 8:00 p.m.

### Voting Locations

Below is a list of polling stations for the 2022 Municipal Election:

Monday, October 24, 2022 10:00 a.m. – 8:00 p.m.	Pelham Fire Station #3 2355 Cream Street	<b>Ward One;</b> Polls 01, 02, 03
	Pelham Fire Station #2 766 Welland Road	<b>Ward One;</b> Polls 04, 05, 06, 07, 08, 09
	Pelham Fire Station #1 177 RR 20	<b>Ward Two;</b> Polls 10, 11, 12, 13
	Pelham Meridian Community Centre – Accursi Room 100 Meridian Way	<b>Ward Two;</b> Polls 14, 15, 16, 17, 18

	Pelham Friends Church 940 Haist Street	<b>Ward Three;</b> Polls 19, 23, 27
	Pelham Meridian Community Centre – Gym 100 Meridian Way	<b>Ward Three;</b> Polls 20, 21, 22, 24, 25, 26
Monday, October 24, 2022 6:00 p.m. start	Town Hall	<b>All Wards; All Polls Vote By Mail</b>
Monday, October 24, 2022 9:00 a.m. – 12:00 p.m.	Lookout Ridge Retirement Community	<b>Ward Two Institutional Voting Only</b>
Monday, October 24, 2022 1:30 p.m. – 3:30 p.m.	Shorthills Villa Retirement Community	<b>Ward Two Institutional Voting Only</b>
Monday, October 24, 2022 9:00 a.m. – 11:00 a.m.	Woodlands of Sunset Home for Aged	<b>Ward Three Institutional Voting Only</b>

## Voter Information Notification

Pursuant to the Act, the Clerk will advise each resident elector of the date and time of voting, including advance voting, and of the location of the voting place at which that elector is to vote by mailing a notice of the date and time of voting and of the location of such voting place, which notice shall be directed to all the electors at that address. Voter Information Notifications (VIN) will be mailed through Canada Post during the fall of 2022.

## Elector Absence from Work

An elector is entitled to have three consecutive hours to vote on Election Day. If an elector's normal hours of employment are such that they would not have three consecutive hours to attend the polls, the employer must allow them to be absent, and the absence shall be timed to suit the employer's convenience as much as possible. For example, if an employee is scheduled to work from 10:00 a.m. to 7:00 p.m., the employee must be permitted to either begin the shift at 1:00 p.m. or leave work by 5:00 p.m.

## Form of Ballots

The Town of Pelham uses a full composite ballot. Each elector receives one composite ballot which contains all ballots for every office for which they are entitled to vote. There will be different ballots for public school electors, separate school electors and for French language public and separate school

electors to ensure no elector receives a ballot for offices for which they are not entitled to vote.

## **Marking the Ballot**

The Municipal and School Board Election will be conducted using the Accu-Vote Tabulation System. All candidates should be aware of the method to mark ballots. Any campaign material a candidate is using which refers to marking the ballot should accurately reflect the proper method.

## **Tabulating the Votes and Posting Results**

By using the vote tabulation process, each polling location will tabulate results as soon as possible after the polls close at 8:00 p.m. directly at the voting place and telephone the Clerk with the results, followed by a delivery of the tabulation results printouts.

Candidates and members of the public who are interested in viewing the results as they are tallied may view the live tabulation on the Town of Pelham website. Results of the vote will be displayed beginning as soon as possible after 8:00 p.m.

The results posted on October 24, 2022 are the "Unofficial Results" and must be certified by the Clerk as soon as possible after voting day, whereupon the Clerk will make a Declaration of Results, to be posted in Town Hall and on the municipal website.

## **Recounts**

Where there is a tied vote for the election of a candidate to an office and both or all of the candidates cannot be declared elected, or where there is a tied vote on a by-law or question, the Clerk must hold a recount within fifteen (15) days after the declaration of results of the election.

A person entitled to vote in an election and who has reasonable grounds for believing the election results to be in doubt may apply to the Superior Court of Justice for an order that the Clerk conduct a recount. This must be commenced within thirty (30) days after the Clerk's declaration of the results. The court, if satisfied there are sufficient grounds, shall make an order requiring the Clerk to hold a recount, which is to be held within fifteen (15) days after the day of receipt of the order.

**MUNICIPAL  
ELECTION**  
**October 24 2022**



**Town of Pelham  
Third Party Advertiser Guide**



**Third Party Advertiser**

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## Duties of Registered Third Party Advertisers

Pursuant to Section 88.26 of the *Municipal Elections Act, 1996*, (the 'Act'), a registered third party shall ensure that:

- a. No contributions of money are accepted or expenses are incurred in relation to third party advertisements that appear during an election in a municipality unless one or more campaign accounts are first opened at a financial institution exclusively for the purposes of the election campaign;
- b. All contributions of money are deposited into the campaign accounts;
- c. All funds in the campaign accounts are used exclusively for the purposes of the election campaign;
- d. All payments for expenses are made from the campaign accounts;
- e. Contributions of goods or services are valued;
- f. Receipts are issued for every contribution and obtained for every expense;
- g. Records are kept of,
  - (i) The receipts issued for every contribution,
  - (ii) The value of every contribution,
  - (iii) Whether a contribution is in the form of money, goods or services, and
  - (iv) The contributor's name and address;
- h. Records are kept of every expense including the receipts obtained for each expense;
- i. Records are kept of any claim for payment of an expense that the registered third party disputes or refuses to pay;
- j. Records are kept of the gross income from a fund-raising function and the gross amount of money received at a fund-raising function by donations of \$25 or less or by the sale of goods or services for \$25 or less;
- k. Records are kept of any loan and its terms under section 88.17;
- l. The records described in clauses (g), (h), (i), (j) and (k) are retained by the registered third party for the term of office of the members of the council or local board and until their successors are elected and the newly elected council or local board is organized;
- m. Financial filings are made in accordance with sections 88.29 and 88.32;
- n. Proper direction is given to the persons who are authorized to incur expenses and accept or solicit contributions under the direction of the registered third party;
- o. A contribution of money made or received in contravention of this Act or a by-law passed under this Act is returned to the contributor as soon as possible after the registered third party becomes aware of the contravention;

- p. A contribution not returned to the contributor under clause (o) is paid to the clerk of the municipality in which the registered third party is registered;
- q. An anonymous contribution is paid to the clerk of the municipality in which the registered third party is registered; and
- r. Each contributor is informed that a contributor shall not make contributions exceeding,
  - (i) A total of \$1,200 to any one registered third party in relation to third party advertisements, and
  - (ii) A total of \$5,000 to two or more registered third parties registered in the same municipality in relation to third party advertisements. 2016, c. 15, s. 61; 2017, c. 10, Sched. 4, s. 8 (16).

### **Effect of Default by Registered Third Party**

**Section 88.27** (1) Subject to subsection (6) and in addition to any other penalty that may be imposed under this Act, an individual, corporation or trade union that is registered as a registered third party in relation to an election in a municipality is not entitled to register in relation to a subsequent election in the municipality until after the next regular election has taken place,

- a. If the registered third party fails to file a document as required under section 88.29 or 88.32 by the relevant date;
- b. If a document filed under section 88.29 shows on its face a surplus, as described in section 88.31, and the registered third party fails to pay the amount required by subsection 88.31 (4) to the clerk by the relevant date;
- c. If a document filed under section 88.29 shows on its face that the registered third party has incurred expenses exceeding what is permitted under section 88.21; or
- d. If a document filed under section 88.32 shows on its face a surplus and the registered third party fails to pay the amount required by that section by the relevant date. 2016, c. 15, s. 61.

### **Notice of Default**

(2) In the case of a default described in subsection (1), the clerk shall notify the registered third party in writing that the default has occurred and shall make available to the public the name of the registered third party and a description of the nature of the default. 2016, c. 15, s. 61.

### **Application to Court**

(3) The registered third party may, before the last day for filing a document under section 88.29 or 88.32, apply to the Superior Court of Justice to



extend the time for filing the document under that section and, if the court is satisfied there are mitigating circumstances justifying a later date for filing the document, the court may grant an extension for the minimum period of time necessary to enable the registered third party to file the document but the court shall not grant an extension of more than 90 days. 2016, c. 15, s. 61.

### **Notice to Clerk**

(4) If a registered third party makes an application under subsection (3), the registered third party shall notify the clerk in writing before 2 p.m. on the last day for filing a document under section 88.29 or 88.32 that the application has been made. 2016, c. 15, s. 61.

### **Effect of Extension**

(5) If the court grants an extension under subsection (3), the penalty set out in subsection (1) applies only if the registered third party has not filed the document before the end of the extension. 2016, c. 15, s. 61.

### **Cessation of Penalty**

(6) The penalty set out in subsection (1) for a default described in clause (1) (a) does not take effect if, no later than 2 p.m. on the day that is 30 days after the applicable day for filing the document, the registered third party files the relevant document as required under section 88.29 or 88.32 and pays the clerk a late filing fee of \$500. 2016, c. 15, s. 61.

### **Late Filing Fee**

(7) The late filing fee is the property of the municipality. 2016, c. 15, s. 61.

## **Financial Statements, Etc. of Registered Third Parties**

**Section 88.29** (1) On or before 2 p.m. on the filing date, a registered third party shall file with the clerk of the municipality in which he, she or it registered a financial statement and auditor's report, each in the prescribed form, reflecting the registered third party's campaign finances in relation to third party advertisements,

- a. In the case of a regular election, as of December 31 in the year of the election; and
- b. In the case of a by-election, as of the 45th day after voting day. 2016, c. 15, s. 61.

### **Error in Financial Statement**

(2) If an error is identified in a filed financial statement, the registered third party may withdraw the statement and, at the same time, file a corrected

financial statement and auditor's report on or before the applicable filing date under section 88.30. 2016, c. 15, s. 61.

### **Supplementary Financial Statement and Auditor's Report**

(3) If the campaign period for the registered third party in relation to an election in the municipality continues during all or part of the supplementary reporting period, the registered third party shall, before 2 p.m. on the supplementary filing date, file a supplementary financial statement and auditor's report for the supplementary reporting period. 2016, c. 15, s. 61.

### **Supplementary Report**

(4) A supplementary financial statement or auditor's report shall include all the information contained in the initial statement or report filed under subsection (1), updated to reflect the changes to the registered third party's campaign finances during the supplementary reporting period. 2016, c. 15, s. 61.

### **Auditor**

(5) An auditor's report shall be prepared by an auditor licensed under the Public Accounting Act, 2004. 2016, c. 15, s. 61.

### **Exception re Auditor's Report**

(6) No auditor's report is required if the total contributions received and total expenses incurred in the registered third party's campaign in relation to third party advertisements during an election in the municipality up to the end of the relevant period are each equal to or less than \$10,000. 2016, c. 15, s. 61.

### **Notice from Clerk, Before Filing Date**

(7) At least 30 days before the filing date, the clerk shall give notice of the filing requirements of this section and the penalties set out in subsections 88.27 (1) and 92 (4) to every registered third party that registered in the municipality. 2016, c. 15, s. 61.

### **Same, Before Supplementary Filing Date**

(8) At least 30 days before the supplementary filing date, the clerk shall give notice of the filing requirements of this section and the penalties set out in subsections 88.27 (1) and 92 (4) to every registered third party that gave notice to the clerk under paragraph 4 of section 88.28. 2016, c. 15, s. 61.

### **Electronic Filing**

(9) The clerk may provide for electronic filing under this section and may establish conditions and limits with respect to electronic filing. 2016, c. 15, s. 61.

### **Documents Filed After Filing Date**

(10) If the documents required to be filed under this section are not filed by 2 p.m. on the day that is 30 days after the applicable day for filing the documents, the clerk shall accept the documents only for the purpose of making the documents available under subsection 88 (9.1). 2016, c. 15, s. 61.

### **Report by Clerk**

(11) As soon as possible after April 30 in the year following a regular election or 75 days after voting day in a by-election, the clerk shall make available to the public on a website or in another electronic format a list of all registered third parties for the election along with an indication of whether each has filed a financial statement and auditor's report under subsection (1). 2016, c. 15, s. 61.

### **Return of Surplus for Subsequent Expenses**

**Section 88.32** This section applies if all of the following circumstances exist:

1. A candidate or registered third party has paid a surplus to the clerk under subsection 88.31 (4).
2. The candidate's election campaign period has ended under paragraph 2, 3 or 4 of subsection 88.24 (1) or the registered third party's campaign period has ended under paragraph 2 or 3 of section 88.28.
3. It is no longer possible to recommence the campaign period under paragraph 5 of subsection 88.24 (1) or paragraph 4 of section 88.28.
4. The candidate or registered third party subsequently incurs expenses relating to a compliance audit. 2016, c. 15, s. 62.

### **Return of Surplus**

(2) If the candidate or registered third party notifies the clerk in writing that he, she or it is incurring subsequent expenses relating to a compliance audit, the clerk shall return the amount of the surplus, with interest, to the candidate or registered third party. 2016, c. 15, s. 62.

### **Effect of Return of Surplus**

(3) If the surplus is returned to the candidate or registered third party, he, she or it is permitted to incur expenses relating to a compliance audit but no other expenses may be incurred. 2016, c. 15, s. 62.

### **Reporting Periods**

(4) The first reporting period of the candidate or registered third party under this section begins on the day after the surplus is returned and ends 90 days

later, and each successive period of 90 days is a further reporting period. 2016, c. 15, s. 62.

### **Financial Statements**

(5) For each reporting period, the candidate or registered third party shall file with the clerk a financial statement in the prescribed form reflecting the expenses of the candidate or registered third party for the reporting period, and the financial statement must be filed no later than 2 p.m. on the 10th day after the end of the reporting period. 2016, c. 15, s. 62.

### **Final Financial Statement**

(6) If, during a reporting period, the amount of surplus is reduced to zero or any remaining surplus is no longer required by the candidate or registered third party for expenses relating to a compliance audit, the candidate or registered third party shall file a final financial statement. 2016, c. 15, s. 62.

### **Repayment of Remaining Surplus**

(7) If the final financial statement indicates that there is any remaining surplus, the candidate or registered third party shall pay the remaining surplus to the clerk when the financial statement is filed. 2016, c. 15, s. 62.

### **Remaining Surplus Held in Trust by Clerk**

(8) The clerk shall hold the amount of the remaining surplus in trust for the candidate or registered third party. 2016, c. 15, s. 62.

### **Release of Amount if another Compliance Audit**

(9) If, after the candidate or registered third party pays the remaining surplus to the clerk, another compliance audit commences, subsections (2) to (8) apply, with necessary modifications, with respect to the subsequent compliance audit. 2016, c. 15, s. 62.

### **Amount to become Property of Municipality of Local Board**

(10) The amount of the remaining surplus becomes the property of the municipality or the local board, as the case may be, when the compliance audit is finally determined and the period for commencing any other compliance audit has expired. 2016, c. 15, s. 62.

## **Offences by Registered Third Party – Exceptions**

### **Exception, Action in Good Faith**

(5) However, if the presiding judge finds that the registered third party, acting in good faith, committed the offence inadvertently or because of an error in judgment, the penalty described in subsection 88.27 (1) does not apply. 2016, c. 15, s. 68 (2).

(6) If the expenses incurred by or under the direction of a registered third party exceed the amount determined under section 88.21, the registered third party is liable to a fine equal to the excess, in addition to any other penalty provided for in the Act. 2016, c. 15, s. 68 (2).

**Note:** It is recommended that you familiarize yourself with all pertinent sections of the Act for compliance with every aspect of your election campaign.

**MUNICIPAL  
ELECTION**  
**October 24 2022**



# **Candidate Access Portal User Guide**



**Candidate Access Portal**

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## Information for Candidates

The Candidate Access Portal permits candidates to:

1. Search for registered electors in their constituency and view selected voter details;
2. Request an extract or a revision list of registered electors in their constituency;
3. Retrieve documents uploaded to the portal by the municipality.

Support: All questions or assistance related to the Candidate Portal must be addressed to the Town Clerk.

It is recommended that the candidate bookmark the access link:

[www.candidateaccess.ca](http://www.candidateaccess.ca)

Please note, your access to the Candidate Access Portal will cease on October 25, 2022 at 12:00am.

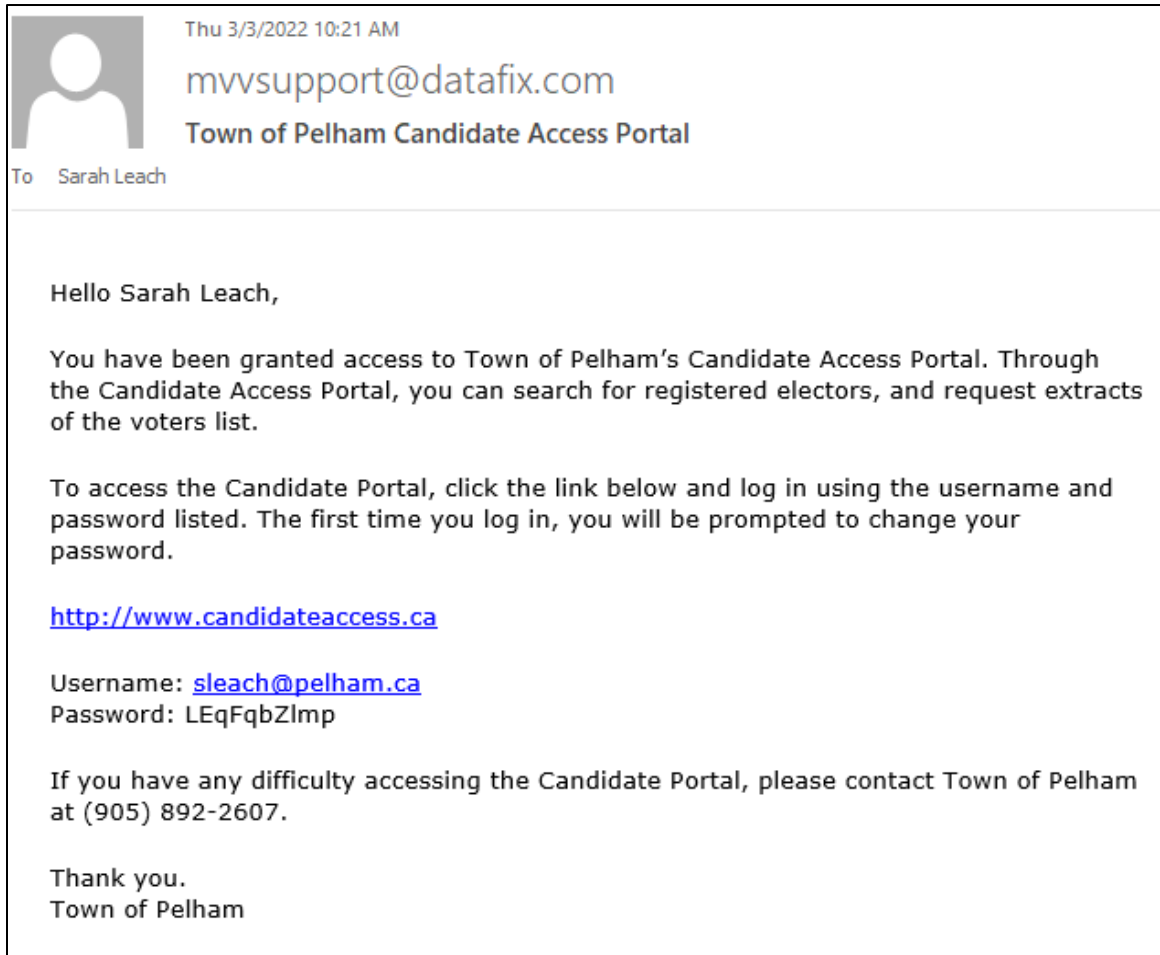
## Accessing the Portal

Access to the portal is granted by the Clerk's Office to certified candidates following Nomination Day on August 22, 2022.

Once a candidate has been configured as a user in the Candidate Access Portal, the candidate will automatically receive an email from [mvvsupport@datafix.com](mailto:mvvsupport@datafix.com) with their access details, including the link to the portal and a temporary password as shown on the next page in the example **Figure 2.0**.

The password must be changed after the initial login and the application will prompt the candidate for a password change. Initial credentials will be found in the welcome email generated from Municipal Voter View.





**Figure 2.0**

When you click the link, the Candidate Access Login screen displays. You are required to enter the credentials provided to you as shown in **Figure 2.1**.

The screenshot shows the 'candidateaccess' logo at the top left. Below it is a 'Login' header. The main content area contains the instruction 'Please enter your username and password.' followed by two input fields: 'Username' with the value 'sleach@pelham.ca' and 'Password' with masked characters. A green 'Login' button is positioned below the password field, and a blue link 'Forgot your password?' is located at the bottom of the form.

Figure 2.1

Upon entry to the Candidate Access Portal, the candidate will be required to agree to the terms of use of the information contained on the Voters' List as shown in **Figure 2.2**.

The screenshot shows the 'candidateaccess' logo at the top left and a language selector 'English' at the top right. Below the logo is a 'Change Password' header. The main content area contains the instruction 'Please complete the form below to continue.' followed by two input fields: 'New Password:' and 'Confirm New Password:'. Below the 'New Password:' field is the text 'Password Strength: Good'. Below the 'Confirm New Password:' field is the text 'Passwords Match!'. A checkbox is checked, and the text reads: 'I do hereby agree to use the information contained on the Voters' List herein for election purposes only and I understand that I am prohibited by the Municipal Elections Act, 1996, s. 88(10), from using the Voters' List for commercial purposes or any use other than for the 2022 Municipal Election.' A green 'Save' button is located at the bottom of the form.

Figure 2.2

After all required information is completed and saved, the candidate portal opens to the main screen as shown below in **Figure 2.3**.

The screenshot displays the 'candidateaccess' portal interface. At the top right, there is a language dropdown set to 'English' and a user status indicator 'You are logged in as Sarah Leach' with a 'Logout' button. A navigation bar contains links for 'Search', 'Extracts', 'Revision Report', 'Documents', and 'Change Password'. Below this is a green header for 'Elector Search'. The main content area is titled 'Search For Electors' and contains several input fields: 'Last Name', 'First Name', and 'Elector ID' (text boxes); 'Street Number', 'Street Name', and 'Unit' (text boxes); a 'Ward' dropdown menu with '01' selected; a 'Poll' dropdown menu; a 'Voter Sequence' text box; and a 'Voted' dropdown menu. A green 'Search' button is located at the bottom right of the form area.

**Figure 2.3**

The information you can access is set by the Town Clerk/ Returning Officer. Please contact Ms. Holly Willford with any questions:

Holly Willford  
 Town Clerk/ Returning Officer  
 Email: [hwillford@pelham.ca](mailto:hwillford@pelham.ca)  
 Direct Phone Number: 905-980-6657

## Portal Features

The following section describes how to use the features of the portal:

### Elector Search

From the Home screen, you can search for registered electors in your constituency by last name, street name or elector ID.

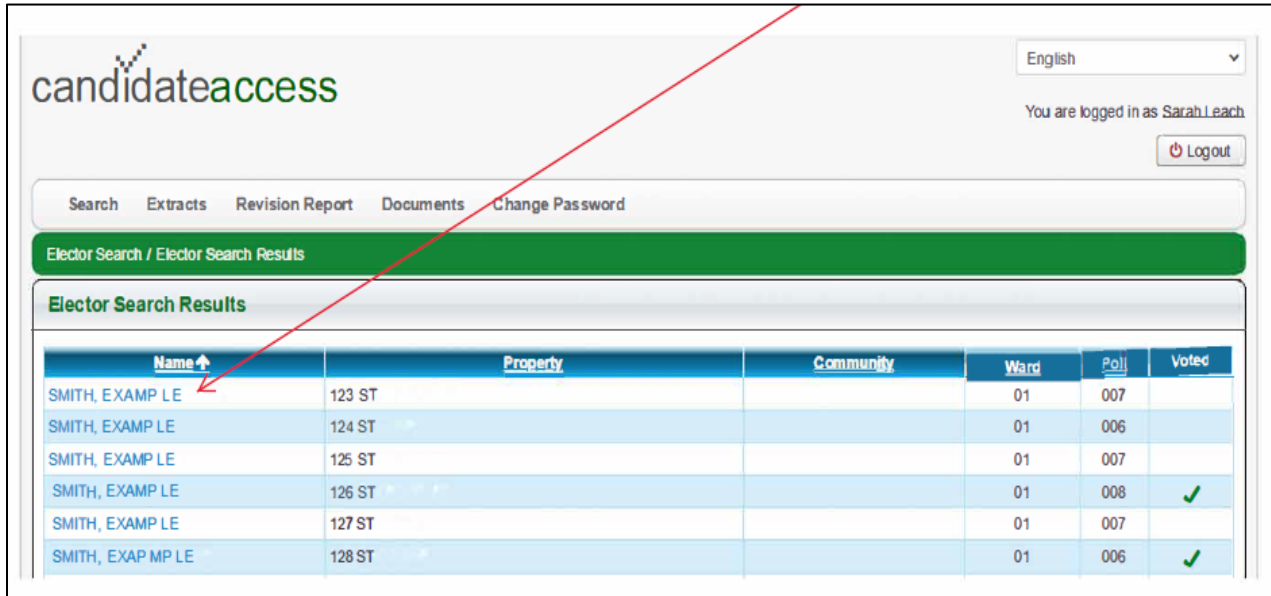
#### Searching by Name

To begin the search, starting typing in the Last Name field. Optionally, you can add a first name to narrow your search.

Press enter or click the Search button to continue.

The application automatically displays all matches for the name that you are typing.

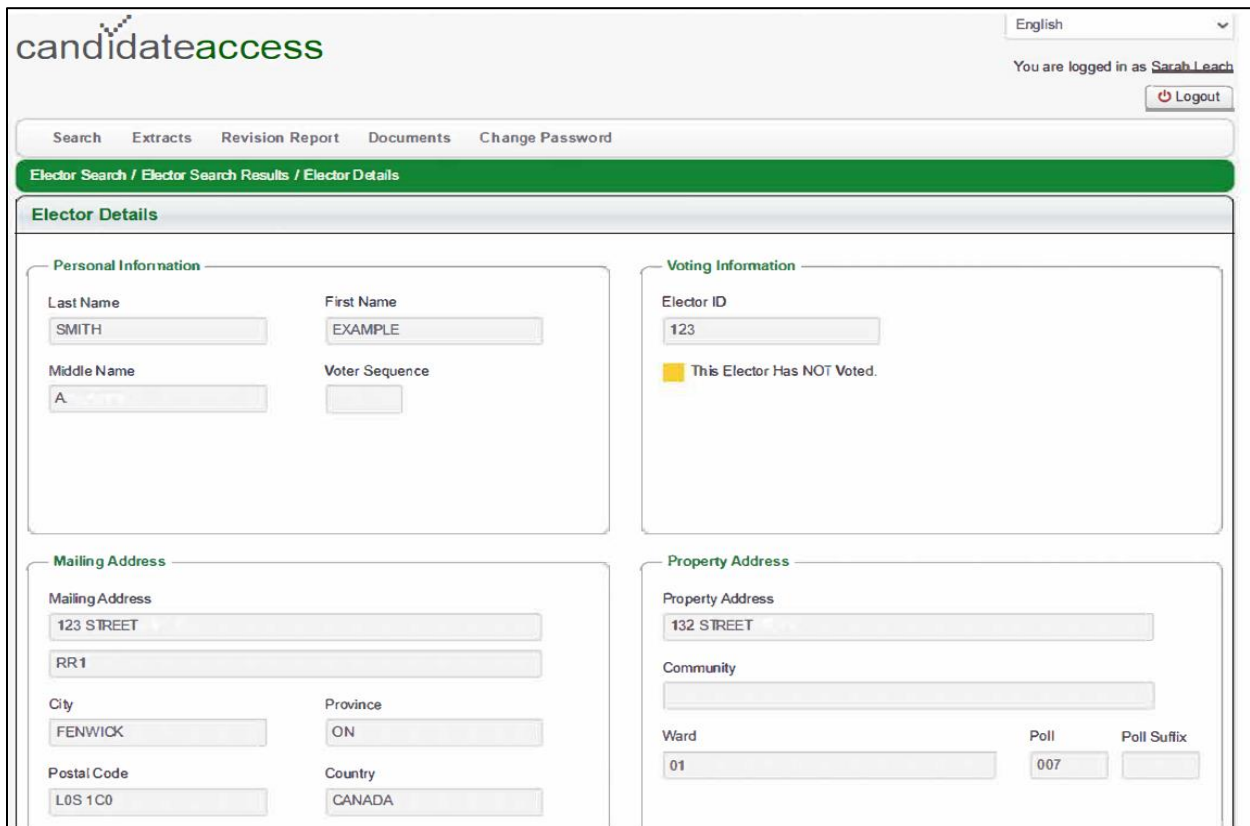
Click on the name of the elector to retrieve voter details as displayed on the following page in **Figure 3.1**.



The screenshot shows the 'candidateaccess' portal interface. At the top right, there is a language dropdown set to 'English' and a user login status 'You are logged in as Sarah Leach' with a 'Logout' button. Below this is a navigation bar with links for 'Search', 'Extracts', 'Revision Report', 'Documents', and 'Change Password'. The main content area is titled 'Elector Search / Elector Search Results' and contains a table of search results. A red arrow points to the first row of the table.

Name ↑	Property	Community	Ward	Poll	Voted
SMITH, EXAMP LE	123 ST		01	007	
SMITH, EXAMP LE	124 ST		01	006	
SMITH, EXAMP LE	125 ST		01	007	
SMITH, EXAMP LE	126 ST		01	008	✓
SMITH, EXAMP LE	127 ST		01	007	
SMITH, EXAMP LE	128 ST		01	006	✓

**Figure 3.0**



The screenshot shows the 'candidateaccess' portal interface with the 'Elector Details' page. The user is logged in as 'Sarah Leach'. The page is divided into several sections: 'Personal Information', 'Voting Information', 'Mailing Address', and 'Property Address'. Each section contains input fields for various details.

Personal Information		Voting Information	
Last Name	First Name	Elector ID	
SMITH	EXAMPLE	123	
Middle Name	Voter Sequence	This Elector Has NOT Voted.	
A.			
Mailing Address		Property Address	
Mailing Address	Property Address		
123 STREET	132 STREET		
RR1	Community		
City	Province	Ward	Poll
FENWICK	ON	01	007
Postal Code	Country	Poll Suffix	
L0S 1C0	CANADA		

**Figure 3.1**

## Searching by Street

To find electors by their street name or to view how many electors reside on a street in the applicable constituency, start typing in the Street Name field on the Home Screen and the application automatically displays all matches for the street name that you are typing, as displayed below in **Figure 4.0**.

The screenshot shows the 'Search For Electors' form in the Candidate Access Portal. The form is titled 'Search For Electors' and contains several input fields and dropdown menus. A red arrow points to the 'Street Name' field. The form is set against a light gray background with a green header bar at the top.

Fields and options visible in the form:

- Last Name:
- First Name:
- Street Number:
- Street Name:  (highlighted with a red arrow)
- Unit:
- Elector ID:
- Ward:
- Poll:
- Voter Sequence:
- Voted:

A green 'Search' button is located at the bottom right of the form.

**Figure 4.0**

If more than one elector resides on the chosen street, the Elector Search Result screen displays showing all electors on that street.

You can re-order the columns by clicking in the column headings, as shown on **Figure 4.1**.

candidateaccess

English

You are logged in as Sarah Leach

Logout

Search Extracts Revision Report Documents Change Password

Elector Search / Elector Search Results

Elector Search Results

Name	Property	Community	Ward	Poll	Voted
OWNER 1	2391 BALFOUR ST		01	001	
OWNER 2	2391 BALFOUR ST		01	001	
OWNER 3	2250 BALFOUR ST		01	001	
OWNER 4	2250 BALFOUR ST		01	001	
OWNER 5	2171 BALFOUR ST		01	001	✓
OWNER 6	2171 BALFOUR ST		01	001	
OWNER 7	1985 BALFOUR ST		01	003	
OWNER 8	1985 BALFOUR ST		01	003	

**Figure 4.1**

From the Elector Search Results screen, you can view the name and address of the elector, the ward and poll information (if applicable), and whether or not the elector has voted.

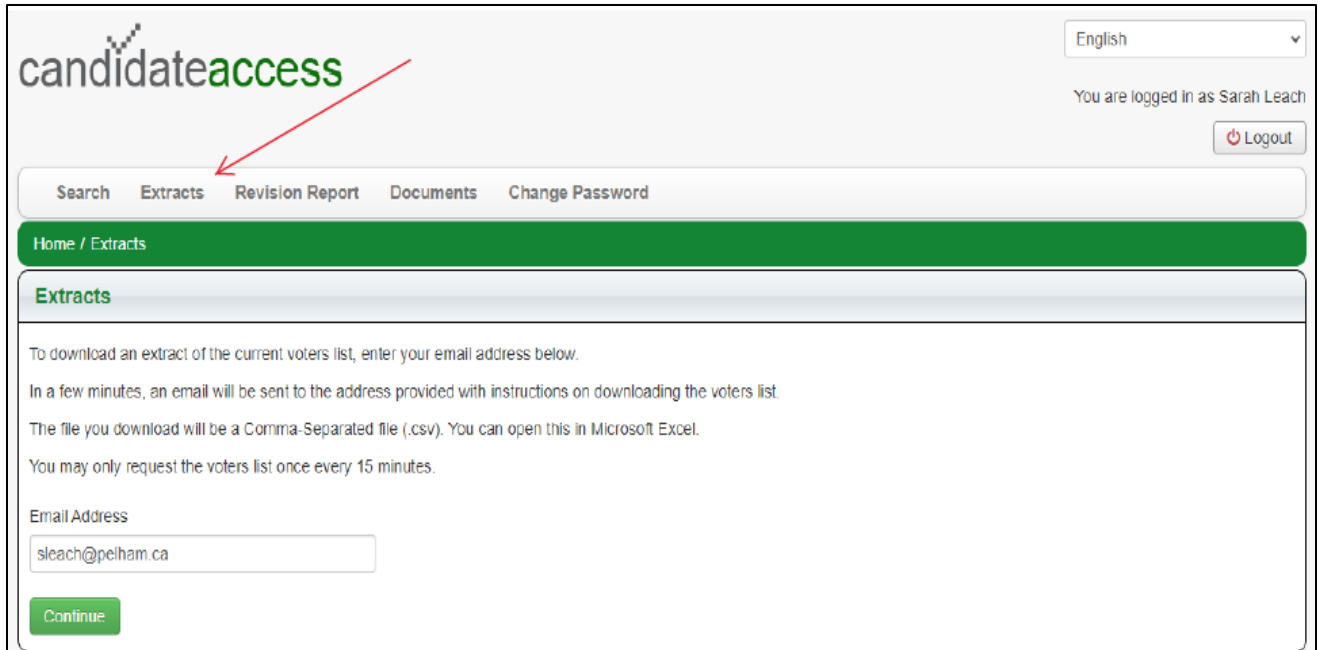
### Downloading an Extract

You can request an extract of the current Voters' list of registered elector's in your constituency through the Extracts screen.

Note: The frequency at which you can download an extract is every 15 minutes.

To request an extract of the voters list:

1. Click Extracts from the main menu (see **Figure 5.0** on the following page);
2. If desired, change the email address to which the extract will be sent;
3. Click continue.

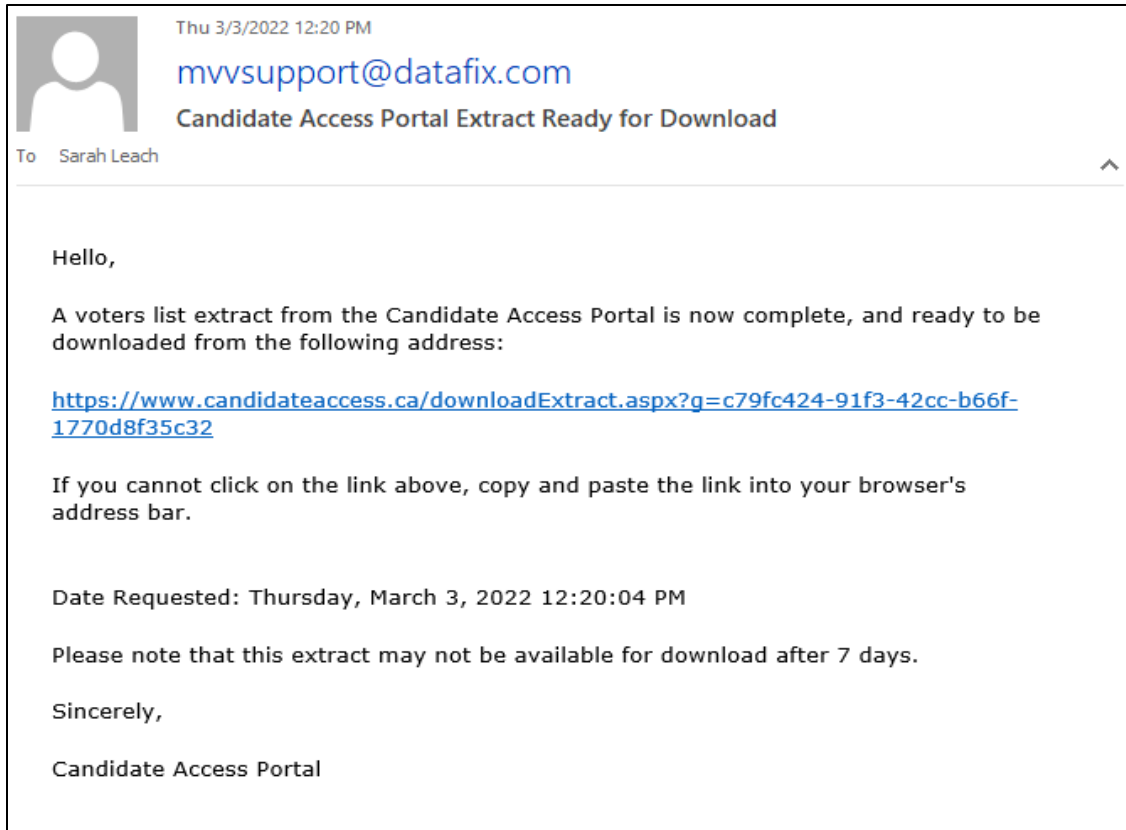


The screenshot displays the 'candidateaccess' portal interface. At the top right, there is a language dropdown set to 'English' and a user status indicator 'You are logged in as Sarah Leach' with a 'Logout' button. The main navigation bar includes 'Search', 'Extracts', 'Revision Report', 'Documents', and 'Change Password'. A green breadcrumb trail shows 'Home / Extracts'. The 'Extracts' section contains the following text: 'To download an extract of the current voters list, enter your email address below.', 'In a few minutes, an email will be sent to the address provided with instructions on downloading the voters list.', 'The file you download will be a Comma-Separated file (.csv). You can open this in Microsoft Excel.', and 'You may only request the voters list once every 15 minutes.' Below this is an 'Email Address' field with the text 'sleach@pelham.ca' and a green 'Continue' button. A red arrow points to the 'Extracts' menu item.

**Figure 5.0**

After you click continue, a message will appear stating “The extract has been requested. You will receive an email with instructions on downloading the extract shortly.”

As shown in **Figure 5.1**, you will receive an email with the link for downloading the extract (Please allow 3-5 minutes).



**Figure 5.1**

When the email has been received, click the link or paste it into your browser.

Click Download to access the extract.

Note: the report is available in Excel format.

### **Downloading a Revision Report**

You can request a revision report of the current list of registered electors in your constituency.

To request a revision report, click the Revision Report tab from the main menu.

Note: The frequency at which you can download an extract is every 15 minutes.

Select from the "Include Revisions Since" drop-down menu, a date from which to include changes, as shown below in **Figure 6.0**.



**candidateaccess** English

You are logged in as Sarah Leach [Logout](#)

Search Extracts **Revision Report** Documents Change Password

Home / Revision Report

### Revision Report

To download a revision report of the current voters list, enter your email address below.

In a few minutes, an email will be sent to the address provided with instructions on downloading the voters list.

The file you download will be a Comma-Separated file (.csv). You can open this in Microsoft Excel.

You may only request the voters list once every 15 minutes.

Include Revisions Since

March 3, 2022

Email Address

sieach@pelham.ca

You may only request the voters list once every 15 minutes

**Figure 6.0**

The application confirms the revision report request and will send an email with instructions for downloading the report. (Refer to **Figure 5.1**).

Click the link in your email or paste it into your browser.

Click Download to retrieve the extract.

### **Why is a Revision Report a Useful Tool?**

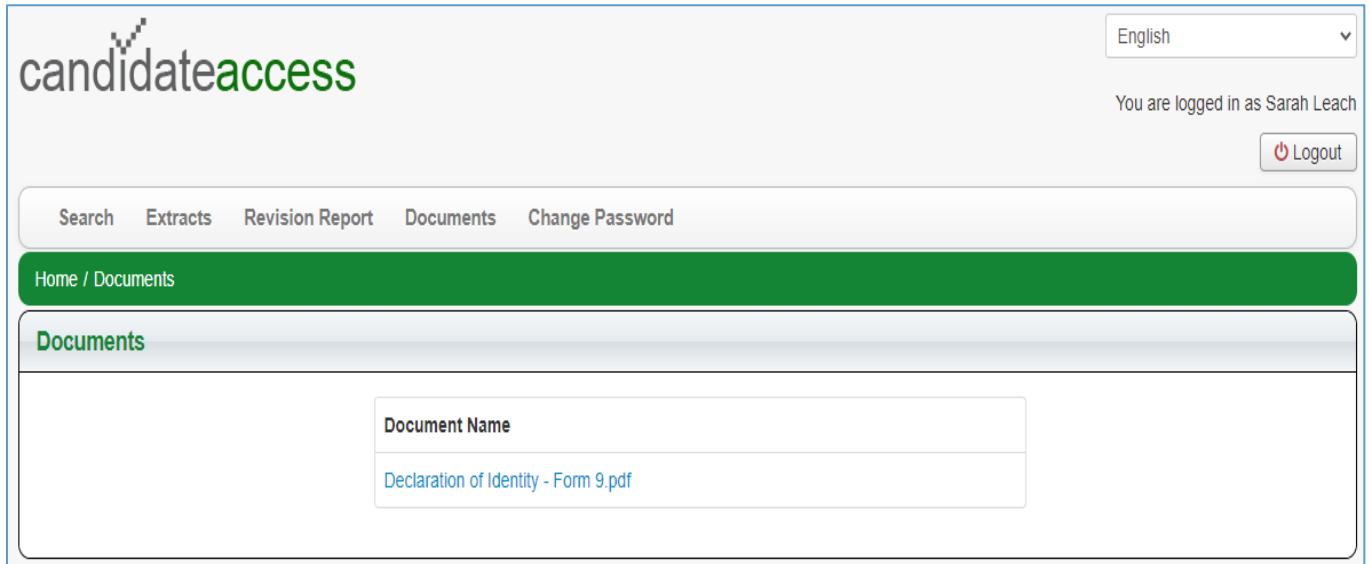
As electors add themselves to the Voter's List and/ or update their personal information, this will become visible using the Revision Report.

As well, the Revision Report will show you who has voted at each advanced poll. This information is live and can be requested every 15 minutes.

### **Viewing Documents in the Portal**

The Town Clerk/ Returning Officer will use this tool in communicating with you. Important documentation will be uploaded to the Documents tab as it

becomes available, as shown below in **Figure 7.0**. To view documents in the portal, click on the Documents Tab to display the contents.



**Figure 7.0**

**MUNICIPAL  
ELECTION**  
**October 24 2022**



# **Vote Tabulator Procedure**



**Vote Tabulation**

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## 1. Definitions

In this procedure:

“**Act**” means the *Municipal Elections Act, 1996*, S.O. 1996, c.32.

“**Ballot Marking Pen**” means the designated ballot-marking pen provided by an election official for the use of a voter to mark the ballot.

“**Memory Pack**” means a cartridge that is a removable, battery-sustained memory where all tabulated totals are stored with the subdivision program.

“**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 and so as to expose the initials of the deputy returning officer to the Vote Tabulator Operator.

“**Valid Mark**” means a mark made in the designated oval space to the right of the candidate’s name using the black ballot-marking pen provided by the election official.

“**Vote by Mail**” means an alternative method of voting where ballot papers are distributed to electors by post or in-person prior to advanced voting or voting day and returned to the Town Clerk by post, in-person or in a designated Vote by Mail dropbox.

“**Voting Place**” means a polling place where voters cast their ballot. A polling place can contain one or more polling stations. For clarity, the Town of Pelham Milette Room has been designated as a Voting Place for Vote by Mail ballots.

“**Vote Tabulator**” means an apparatus that optically scans a specified area on the ballots to read the votes and tabulate the results.

## 2. Application of Procedure

This procedure applies to the 2022 Municipal Election to be conducted in the Town of Pelham, the Council of which has passed By-law No. 4401(2021) pursuant to Section 42 of the Act authorizing the use of Vote Tabulators at Voting Places.

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

Where a form of words or expression are prescribed by this procedure, deviations therefrom not affecting the substance or calculated to mislead do not vitiate them.

The Clerk may, in writing and in accordance with the provisions of the Act, amend these procedures and in the case of such amendment, shall provide notice to each candidate of the amendment in a form and manner and at a time that the Clerk considers adequate in order to give reasonable notice or to convey the information.

### **3. Election Officials**

- 3.1. The Clerk may appoint election officials for the purposes of this procedure and may designate their titles and duties.

### **4. Voting Subdivisions**

- 4.1. The Clerk may divide the municipality into voting subdivisions and combine voting subdivisions into one or more voting locations.

### **5. Ballots**

- 5.1. Composite ballots combining the contents of two or more separate ballots shall be prepared to conform as closely as possible to the prescribed form and rules provided for in the Act.

### **6. Vote Tabulators**

- 6.1. The Clerk shall designate Voting Places where the Vote Tabulator(s) will be located.
- 6.2. Where the Clerk has not provided a Vote Tabulator at a Voting Place, the Clerk shall designate a place to which the ballots shall be taken after the close of the voting to be tabulated by a Vote Tabulator. Every attempt will be made to ensure that all polling locations are equipped with a Vote Tabulator save and except institutional voting at long-term care facilities where a Voting Place within the same ward may be

designated for processing of ballots, depending on availability of Vote Tabulators.

## 7. Programming of Vote Tabulators

- 7.1. The Vote Tabulator shall be programmed so that a printed record of the number of votes cast for each candidate and with respect to each by-law and question can be produced.
- 7.2. The Vote Tabulator shall be programmed so that the following ballots are returned to the Deputy Returning Officer or Vote Tabulator Operator as described:
  - a. A ballot without votes in any of the specified voting spaces as determined by a vote tabulator with the message "**BLANK VOTED CARD SEE OFFICIAL**"
  - b. A ballot with more designated voting spaces marked for an office than the voter is entitled to vote for, as determined by a Vote Tabulator, with the message "**OVERVOTED RACE NAME OF RACE**".
  - c. A ballot that is damaged or defective or has been marked in such a way that it cannot be properly processed by a Vote Tabulator with the message "**DEFECTIVE BALLOT**".
- 7.3. Vote Tabulators will not be programmed to return undervoted ballots as it is a common strategy and a permissible practice for electors to purposely undervote. This would cause many ballots to be returned at the poll and would unnecessarily slow the voting process.

## 8. Testing of Vote Tabulators

- 8.1. Prior to voting day, the Clerk shall test the Vote Tabulators to ensure that they will accurately count the votes cast for all candidates, by-laws and questions.
- 8.2. When testing the Vote Tabulator, adequate safeguards shall be taken to ensure that the system, or any part of it, that is used for processing and tabulating votes is isolated from all other applications or programs and that no remote devices are capable of gaining access to the Vote Tabulator.

8.3. The test shall be conducted by:

- a. Loading the memory packs into the Vote Tabulators;
- b. Tabulating a pre-audited group of ballots, including ballots that fall into each of the categories of ballots described in Subsection 7(2) and ballots on which are recorded a predetermined number of valid votes for each candidate and on each by-law and question; and
- c. Comparing the output of the tabulation against the pre-audited results.

8.4. If the Clerk detects any error in the test, the cause of the error shall be ascertained and corrected and the test repeated until an errorless count is made.

8.5. The Clerk shall, at the successful completion of the test, seal the memory pack to the Vote Tabulator, and record the seal number for validation purposes.

## **9. Candidates/ Scrutineers**

9.1. Candidates may appoint scrutineer(s) in writing, using the prescribed forms, to represent them at the Voting Place.

9.2. Scrutineers shall show their written appointment to election officials upon request upon entry to a Voting Place, and at any time thereafter upon demand of an election official.

9.3. The Poll Supervisor is responsible for the conduct of the Voting Place and no candidate or scrutineer has any right to interfere with the Deputy Returning Officer or any other election official in the discharge of their duties.

9.4. During the fifteen minutes before the opening of the Voting Place, the candidates or scrutineers who are entitled to be present in a voting location during voting hours, are entitled to visually inspect the ballots and any other papers, forms and documents relating to the vote but not so as to delay the timely opening of the voting location.



- 9.5. Only one scrutineer per candidate may be in the Voting Place for each vote tabulating machine or ballot box, at any time. If the candidate or another of their scrutineers enters the Voting Place, the original scrutineer shall leave.
- 9.6. To protect the secrecy of the vote, scrutineers shall not be permitted to examine marked ballots or to object to ballots or to the tabulating of votes on a marked ballot as provided for in clauses 47(5)(e) and 47(5)(f) and subsection 54(3) of the Act as the ballots are being fed into the vote tabulator by the election official.
- 9.7. The total of votes cast for each candidate as counted by the vote tabulating equipment and as accepted by the Poll Supervisor is final; however, a Poll Supervisor shall allow a candidate/scrutineer to inspect a printout of the results of the election as produced by vote tabulating equipment.

## **10. Procedure at the Voting Place**

- 10.1. If a vote tabulator is to be used in a Voting Place, the Vote Tabulator Operator or election official shall, in the presence of all scrutineers (if any), cause the Vote Tabulator to print a copy of all totals in its memory pack one hour or less before the opening of the voting confirming zero totals.
- 10.2. If the totals are zero for all candidates, by-laws and questions, the Vote Tabulator Operator or election official shall remove this zero total tape and affix it to the outside of the tabulator to be seen by all electors and shall remain visible to electors throughout the day. All election officials may sign the zero totals report, and any scrutineers present may also sign the zero totals report. The Vote Tabulator Operator or election official shall cause to be printed a second zero total tape, and ensure that the zero printout remains affixed to the Vote Tabulator until the results are printed by the Vote Tabulator after the close of the vote in one continuous printout.
- 10.3. If the totals are not zero for all candidates, by-laws and questions, the Vote Tabulator Operator or other election official shall immediately notify the Clerk and shall conduct the vote using the back-up compartment of the ballot box until the Vote Tabulator is made

operational or the Clerk provides a back-up Vote Tabulator to the voting location.

- 10.4. The Clerk may assign an election assistant, in addition to the Deputy Returning Officer, to initial a ballot before the ballot is provided to a voter.
- 10.5. The Deputy Returning Officer or an election assistant shall provide a Secrecy Folder to each person to whom a ballot is provided at the same time as the ballot is provided.
- 10.6. Upon receiving the ballot, the voter shall:
  - a. Proceed to the voting compartment; and,
  - b. Using the Ballot Marking Pen provided, vote by filling in the oval to the right of the candidate(s) of their choice or for the answer to any by-law or question.
- 10.7. After marking the ballot in the voting compartment, the voter shall:
  - a. Insert the ballot into the secrecy folder with the Deputy Returning Officer's or other designated election official's initials showing;
  - b. Leave the compartment without delay; and
  - c. Deliver the Secrecy Folder containing the ballot to the Vote Tabulator Operator.
- 10.8. The Vote Tabulator officer shall, in the presence of the voter and without removing the ballot from the secrecy folder, verify the initials of the Deputy Returning Officer or other designated election official, and
  - a. If a Vote Tabulator is available in the Voting Place, insert the Secrecy Folder containing the ballot, with the initials of the Deputy Returning Officer or other designated election official face down, into the feed area of the Vote Tabulator until the Vote Tabulator draws the ballot from the Secrecy Folder in full view of the voter; or,
  - b. If a Vote Tabulator is not available in the Voting Place, or if the back-up procedure is enacted, insert the ballot, with the initials of

the Deputy Returning Officer or other designated election official face down, directly into the ballot box from the Secrecy Folder in full view of the voter.

- 10.9. If a Vote Tabulator is available in the Voting Place but fails to operate, the Vote Tabulator Operator shall:
- a. Insert the ballot into the back-up compartment of the ballot box; and
  - b. Subject to subsection 11(2), insert the ballots into the feed area of the Vote Tabulator after the close of the voting.
- 10.10. If a ballot described in subsection 7(2)(a) ("blank voted card") is returned by the Vote Tabulator and the voter who delivered the ballot is still present, the Vote Tabulator Operator shall advise the voter that the tabulator does not detect any votes in the designated voting spaces and unless instructed by the voter to override the ballot (the voter intended to leave the ballot blank), shall mark the ballot "cancelled", and have the voter return it to the Deputy Returning Officer or election assistant who will place the ballot in the cancelled ballot envelope, deliver another ballot to the voter and instruct the voter how to properly mark the ballot, allowing the voter to mark the subject ballot correctly and have the Vote Tabulator Operator reinsert it.
- 10.11. If a ballot described in Clause 7(2)(b) ("over voted") is returned by the Vote Tabulator and the voter who delivered the ballot is still present, the Vote Tabulator Operator shall, unless instructed by the voter to override the ballot, mark the ballot "cancelled", and have the voter return it to the Deputy Returning Officer or election assistant who will place the ballot in the cancelled ballot envelope, deliver another ballot to the voter and instruct the voter how to properly mark the ballot.
- 10.12. If a ballot described in Clause 7(2)(c) ("invalid ballot") is returned by the Vote Tabulator and the voter who delivered the ballot is still present, the Vote Tabulator Operator shall re-insert the ballot into the feed area of the Vote Tabulator. If the Vote Tabulator again rejects the ballot, the Vote Tabulator Operator shall, unless instructed by the voter to override the ballot, mark the ballot "cancelled", and have the voter return it to the Deputy Returning Officer or election

assistant who will place the ballot in the cancelled ballot envelope, deliver another ballot to the voter and instruct the voter how to properly mark the ballot.

- 10.13. If a ballot described in subsection 7(2) is returned by the Vote Tabulator and the voter who delivered the ballot is present and declines to accept another ballot, the Vote Tabulator Operator shall override the ballot so that the AccuVote accepts the ballot. If the ballot cannot be overridden, the Vote Tabulator Operator will mark the ballot "declined" and return it to the Deputy Returning Officer who issued it.
- 10.14. If a ballot described in subsection 7(2) is returned by the Vote Tabulator and the voter who delivered the ballot is not present, the Vote Tabulator Operator shall mark the ballot "defective" and insert the ballot into the back-up compartment of the ballot box.
- 10.15. After the close of the voting, and in conjunction with the Poll Supervisor, any ballots in the back-up compartment of the ballot box shall be processed as follows:
  - a. Where there are no marks in the specified voting spaces, the Vote Tabulator Operator will override the ballot for acceptance by the tabulator. Should the tabulator still fail to accept the blank ballot in override mode, the Vote Tabulator Operator shall mark the blank ballot "declined" and return it to the Deputy Returning Officer who assigned it for accounting purposes.
  - b. Where there are marks in the specified voting spaces:
    - I. Prepare a replacement ballot for the defective ballot by duplicating the marks shown on the defective ballot to the replacement ballot. The replacement ballot shall be clearly labeled "replacement" and given a serial number which number shall be recorded on the defective ballot;
    - II. Substitute the replacement ballot for the defective ballot and tabulate it; and
    - III. For accounting purposes, give the defective ballot to the Deputy Returning Officer who provided the replacement ballot.

The Deputy Returning Officer will place the defective ballot into the appropriate envelope.

- 10.16. Beginning at 6:00pm on voting day, Vote by Mail ballots will unsealed and fed into the AccuVote machine face down by a Vote Tabulator Operator or Deputy Returning Officer. A non-staff person, in addition to any scrutineer or candidate, will be positioned in the Voting Place to witness the tabulation.

## **11. Procedure for Closing the Voting Place on Election Day**

- 11.1. If a Vote Tabulator has been used to tabulate the votes cast in a Voting Place, the Vote Tabulator Operator shall, after the close of the voting and in the presence of anyone present, check the back-up compartment of the ballot box for ballots to ensure all votes are tabulated and shall immediately:
- a. Record the number of ballots tabulated as displayed on the tabulator and secure the Vote Tabulator against receiving any more ballots;
  - b. Obtain a printed record of the votes given for each candidate and, if applicable, the votes given for and against a by-law or question;
  - c. Sign the certificate portion of the printed record together with the Poll Supervisor and any scrutineers who are present and wish to sign;
  - d. Remove the printed record from the Vote Tabulator and place it in the statement envelope (zero total and final results tape);
  - e. Remove the tabulator from the ballot box and secure and seal the ballot box to ensure that the box cannot be reopened without breaking the seal and to cover the ballot slot;
  - f. Under supervision of Poll Supervisor, collect all completed Deputy Returning Officer Statements of Ballot Account for return to the Clerk which define:
    - I. Ballots received from the Clerk or printed through the Ballot on Demand option if utilized;

- II. Ballots issued to electors and voted;
  - III. Cancelled Ballots;
  - IV. Declined Ballots;
  - V. Defective Ballots; and
  - VI. Ballots Unused.
- g. Report the ballots counted by the Vote Tabulator on the Vote Tabulator Operator Statement and attach the Deputy Returning Officer Statements to it;
  - h. Place the original copy of the Deputy Returning Officer and Vote Tabulator Operator Statements in the statements envelope, as well as the Vote Summary Totals Tape from the AccuVote Tabulator;
  - i. Place a duplicate copy of the statements and all ballots that have been counted by the Vote Tabulator in a ballot transfer container provided by the Clerk to ensure the safe transfer of the ballots and seal it;
  - j. Place in a separate envelope:
    - I. Cancelled Ballots;
    - II. Declined Ballots;
    - III. Defective Ballots;
    - IV. Unused ballots if Ballot on Demand process not used or if any ballots were printed in error;
  - k. Seal the envelopes;
  - l. Place all remaining supplies and sealed envelopes, excluding the statement envelope, in a transfer carrier and seal the transfer carrier; and
  - m. The Vote Tabulator Operator shall personally deliver the transfer carrier, ballot transfer container, vote tabulator and statement

envelope to the Office of the Clerk or to such other place as the Clerk has directed, in writing.

11.2. 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 Vote Tabulator Operator or an election assistant 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 a seal;
- b. Secure the vote tabulator against receiving any more ballots;
- c. Place all supplies and all cancelled, declined, defective and unused ballots in the transfer carrier and seal it;
- d. Personally deliver the ballot box, transfer carrier, ballot transfer container and Vote Tabulator to a place designated by the Clerk where a back-up Vote Tabulator is located, which shall be for the 2022 Election event the Town of Pelham Municipal Building, 20 Pelham Town Square, Fonthill;
- e. Follow the procedures set out in section 10 to ensure that the totals of the back-up vote tabulator are zero for all candidates, by-laws and questions;
- f. Insert all the ballots from the ballot box into the back-up vote tabulator; and
- g. Follow the procedures in subsection 11(1).

## **12. Advance Voting, Vote By Mail and Early Closing of Voting Places**

12.1. The total of the votes at an advance voting location or at a voting location that closes early under subsection 46 (3) of the Act shall not be printed and the procedures under section 12 shall not be followed until after 8:00 p.m. on the voting day.

- 12.2. Each advance poll will be treated as a separate and distinct poll for tabulator purposes, with separate memory cards to be prepared for each date and location.
- 12.3. A vote tabulation machine will be assigned to all Vote by Mail ballots and shall be treated as a separate as distinct poll for tabulation purposes, with a separate memory card.
- 12.4. Following the close of all voting locations on voting day, after 8:00 p.m., the Clerk, or designate, shall tabulate the results of the advance voting and institutional voting results. If a Vote Tabulator has been used to tabulate the votes cast in an advanced or institutional Voting Place, the Clerk, or designate, shall, in the presence of anyone present:
  - a. Secure the Vote Tabulator against receiving any more ballots (Ender Card Process);
  - b. Obtain a printed record of the votes given for each candidate and, if applicable, the votes given for and against a by-law or question; and
  - c. Sign the certificate portion of the printed record together with any scrutineers who are present and wish to sign.

### **13. Recounts**

- 13.1. Subject to the order of a judge under section 58 of the Act, if a recount of votes is held, the votes shall be recounted in the same manner as the votes were counted on voting day.
- 13.2. A Vote Tabulator shall be tested before the recount in the manner described in section 8.
- 13.3. The Clerk (recount officer) shall attend the recount and bring the transfer carriers, ballot transfer containers, vote tabulators, statement envelopes.
- 13.4. All documents that, in the opinion of the Clerk (recount officer), are relevant to the recount.



13.5. If a Vote Tabulator is used for a recount, the recount is limited to the ballots tabulated by a Vote Tabulator on voting day.

13.6. For the purposes of subsection (2), "results of the election" means:

- a. In the case of an election to an office, which candidate or candidates have been declared elected;
- b. In the case of an election to obtain the assent of the voters on a by-law, whether the affirmative or negative received the greatest number of votes; and
- c. In the case of a question submitted to the voters, which answer received the greatest number of votes.

13.7. The result of a recount using a Vote Tabulator is final and no further recount shall take place, unless:

- a. The recount changes the results of the election, as declared by the Clerk under subsection 55 (4) of the Act; or
- b. A judge makes an order under Section 58 of the Act requiring a recount to be held.

13.8. If clause (2)(a) applies, the Clerk (recount officer) shall conduct a manual recount following as far as practicable the provisions of the Act governing the counting of votes and, subject to a judge's order, shall recount only those voting subdivisions where the count at the recount differed from the count on voting day.

13.9. The manual recount shall be a recount of all the original ballots received from the voters in those voting subdivisions.

THE CORPORATION OF THE  
TOWN OF PELHAM  
BY-LAW 3987(2018)

**Being a by-law to regulate Election Signs within the  
Town of Pelham; and to repeal Section 12.1 of the  
Town of Pelham Sign By-law, 3310(2012).**

WHEREAS the *Municipal Act, S.O. 2001, c.25*, Section 8 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the *Municipal Act*, Section 11(3) provides for the specific spheres of jurisdiction under which the lower and upper tier municipalities may pass by-laws respecting specific matters including matters with respect to signs;

AND WHEREAS the powers conferred under Sections 8 and 11 shall be exercised by by-law;

AND WHEREAS Section 99 specifically sets out the guidelines relating to the passing of by-laws relating to signs and advertising devices;

AND WHEREAS pursuant to Section 63 of the *Municipal Act* which provides that a by-law may prohibit or regulate the placing or standing of an object on or near a highway, and may provide for the removal and impounding or restraining and immobilizing of any object placed or standing on or near a highway;

AND WHEREAS the Corporation of the Town of Pelham deems it expedient to pass a by-law to regulate the erection of signs for federal, provincial and municipal elections;

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council for the Corporation of the Town of Pelham enacts as follows:

**1. DEFINITIONS:**

**"Act"** means the *Municipal Act, 2001 S.O. 2001, c. 25, as amended*;

**"Boulevard"** means the portion of a highway between a street line and the edge of the curb, or where there is no curb, that portion of the highway which is travelled or designated to be travelled by vehicles but does not include medians, bulges or traffic islands;

**"By-Election"** means an election other than a regular election;

**"Campaign Office"** means a building or structure, or part of a building or structure, used by a Candidate to conduct an election campaign;

**"Candidate"** means:

- i. A candidate within the meaning of the Canada Elections Act,

the Election Act (Ontario) or the Municipal Elections Act, 1996, as amended; and

- ii. Shall be deemed to include a person or agent for a registered person seeking to influence other persons to vote for or against any question or by-law submitted to the electors under section 8 of the Municipal Elections Act, 1996, as amended;

**"Clerk"** means the Municipal Clerk of the Corporation of the Town of Pelham, or a person delegated by the Municipal Clerk for the purpose of this By-law;

**"Corporation", "Municipality" and "Town"** means the Corporation of the Town of Pelham;

**"Council"** means the Council of the Town of Pelham;

**"Daylighting Triangle"** means an area free of buildings or structures or other visual obstructions, and which are to be determined by measuring, from the point of intersection of street lines on a corner lot, a minimum of 9 m (29.53 ft.) along each such street line and joining such points with a straight line, and the triangular shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the daylighting triangle;

**"Election"** means any federal, provincial, regional or municipal election or by-election, and any question or by-law submitted to the electors and includes an election to a local board or commission;

**"Election Headquarters"** means the central location from which an election is administered and for the purposes of a municipal election, shall mean the Town Hall;

**"Election Period"** means the period from when Candidate Nomination or Third Party Registration papers are submitted, up to and including Voting Day;

**"Election Sign"** means a sign, including without limitation, posters, placards, bulletins, banners, notices and/or signs not permanently affixed to the ground and specifically designed and intended to be readily moved from place to place, which by the use of words, pictures or graphics or any combination thereof is intended to influence, promote, oppose or take a position with respect to:

- i. Any candidate or political party in an election under the *Canada Elections Act*, the *Election Act (Ontario)* or the *Municipal Elections Act, 1996*, as amended;
- ii. An issue associated with a person or political party in an election under the *Canada Elections Act*, the *Election Act (Ontario)* or the *Municipal Elections Act, 1996*, as amended;
- iii. A question, law or by-law submitted to the electors under the the *Canada Elections Act*, the *Election Act (Ontario)* or the *Municipal Elections Act, 1996*, as amended;

**"Enforcement Officer", "Municipal Law Enforcement Officer" and "Officer"** means a Municipal Law Enforcement Officer appointed by the Municipal Council of the Town of Pelham;

**"Erect"** means anything done in the installation, placement, display, maintenance, repair, or alteration of any sign;

**"Erector"** means anyone who does anything or permits anything to be done, or causes anything to be done, in the erection of any sign;

**"Ground Sign"** means a sign 3m (9.84 ft.) or less in height directly supported from the ground without the aid of any building or structure other than the sign structure;

**"Height of Sign"** means the vertical distance from the ground to the highest point of the sign or sign structure;

**"Intersection"** means the area embraced within the prolongation or connection of the lateral curb lines or, if none, then of the lateral boundary lines of the pavement of two or more highways that join one another at an angle, whether or not one highway crosses the other;

**"Island"** means a raised area in the middle of a road, designated to channel traffic and aid pedestrians in crossing;

**"Land"** means any private property, premises, grounds, yard or vacant lot and includes any building or structure thereon not actually used as a dwelling;

**"Lot"** means any parcel of land whether such parcel is described in a registered deed, or shown as a lot or block in a registered plan of subdivision and shall also mean a parcel of land identified in a registered lease agreement as a separate entity related to a separate and distinct building on the lands;

**"Lot Line"** means any boundary of a lot;

**"Motor Vehicle"** includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electrical or steam railways, or other motor vehicles running only upon rails, or traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act;

**"Occupier"** means any person, firm or corporation having control over any portion of the building or land or lot under consideration and includes the persons in the building or on the land or lot;

**"Owner"** includes:

- i. owner of the sign;
- ii. owner of the property/land/lot on which an election sign is placed;
- iii. any person described on or whose name, image, address or

- iv. telephone number appears on the election sign;
- v. any person who is in control of the election sign;
- vi. any person who benefits from the message on the election sign;
- vii. any person who has placed or permitted to be placed the election sign; and
- viii. shall be deemed to include Candidates and Registered Third Parties; and
- viii. for the purpose of this by-law, there may be more than one owner of the election sign;

**"Person"** means an individual, business, firm, corporation, association, partnership or entity, candidate, his or her agent or any representative of a candidate, registered third party, his or her agent or any representative of a registered third party; Person shall not mean the Clerk or Enforcement Officer;

**"Private Property"** means real property under private ownership;

**"Public Property"** means lands owned by the Corporation of the Town of Pelham, The Corporation of the Regional Municipality of Niagara, the Province of Ontario, or a local board as defined in the Municipal Affairs Act, as amended, and includes any road allowances;

**"Reasonable Time"** means anytime between the hours of 6 am and 9 pm.;

**"Registered Third Party"** means an individual, corporation or trade union that is registered under section 88.6 of the Municipal Elections Act, 1996;

**"Residential Lands"** means any lands zoned "Residential" in accordance with the provisions of any zoning by-laws of the Town of Pelham;

**"Roadway"** means the part of a highway that is improved, designed or ordinarily used for vehicular traffic;

**"Road Allowance"** means the allowance for a public road and includes the travelled and untraveled portions of the road allowance, the road shoulders, ditches, boulevards and sidewalks;

**"Sidewalk"** means any municipal walkway, or that portion of the street between the curb line or the lateral line of a roadway and the adjacent property line, primarily intended for the use of pedestrians;

**"Sign"** means any device displaying any letter, figure, character, mark, point, plane, design, poster, pictorial, stroke, stripe, line trademark reading matter, or illuminating device constructed, attached, erected, fastened or manufactured in any manner whatsoever, so that the same is used or is intended to be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever, and displayed in any manner whatsoever, and includes the structure of the said device;

**"Street Line"** means the boundary line that divides a lot from a road allowance;

**"Third Party Advertisement"** means an advertisement placed in any broadcast, print, electronic or other medium by a Registered Third Party, that has the purpose of promoting, supporting or opposing;

- i. a candidate; or
- ii. a "yes" or "no" answer to a question referred to in subsection 8(1), (2) or (3) of the Municipal Elections Act, 1996, as amended;

**"Voting Day"** means voting day as defined by the Municipal Elections Act, 1996 as amended, and polling day as defined by the Canada Elections Act or the Elections Act (Ontario);

**"Voting Location"** means a place where electors cast their ballots as approved by the Federal, Provincial or Municipal Election Official(s) and;

- i. when a voting location is located on public property, includes any street abutting; or
- ii. when a voting location is located on private property, includes any street abutting;

**"Writ of Election"** means the date as defined in the Canada Elections Act and the Elections Act (Ontario).

## **2. GENERAL PROVISIONS:**

2.1 No person shall place or permit an Election Sign except in accordance with this by-law.

2.2 No person shall place or permit an Election Sign that is in contravention of the Town of Pelham comprehensive Sign By-law, 3310(2012) or any successor thereto.

2.3 No person shall place or permit or cause to be placed an Election Sign that:

- a) is illuminated;
- b) has flashing lights or rotating parts;
- c) has an appearance which simulates any traffic control device;
- d) interferes with the safe operation of vehicular traffic or the safety of pedestrians;
- e) impedes or obstructs the Town of Pelham maintenance operations.

2.4 No person shall:

- a) place or permit to be placed an Election Sign on or in a Voting Location;
- b) place or permit to be placed an Election Sign on or in a motor vehicle that is parked on any premises used as a Voting Location;
- c) place or permit to be placed an Election Sign on or in a motor vehicle that is parked or driven on Election Headquarters property, nor be parked on the road allowance

immediately abutting Election Headquarters property, throughout the Election Period.

2.5 An Election Sign may be displayed on or in a motor vehicle provided:

- a) the display of such election sign is not contrary to the provisions of this by-law;
- b) such Election Sign, if on the exterior of the motor vehicle, is mounted flush on the motor vehicle body;
- c) such Election Sign is not displayed so as to contravene the provisions of sections 73.(1) or 74.(1) of the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended.

2.6 No person shall place or remove an Election Sign, or cause an Election Sign to be placed on or removed from, private property without the consent of the candidate or registered third party to whom the sign relates, or the owner of the property on which the sign is erected.

2.7 Election signs are not permitted on public property, and shall not be erected within the road allowance of the Town of Pelham or the Regional Municipality of Niagara, including medians and islands, utility poles, light standards and traffic signal standards. Election candidates shall be responsible for compliance with the signage by-laws and regulations of the Regional Municipality of Niagara and Province of Ontario as the case may be.

2.8 Election signs, including signs attached to vehicles, are not permitted to be erected or displayed in any way on Town property or buildings, including but not limited to the municipal offices, town parks, cemeteries, arena, libraries and fire halls.

2.9 Election Signs erected on the ground shall be located not less than 1.0 m (3.3 ft) from a lot line and a street line, and shall not place a sign with a height greater than 1.0m (3.3ft) within a Daylighting Triangle.

2.10 Election signs erected on residential only lands shall not exceed 0.6 m<sup>2</sup> (6.5ft<sup>2</sup>) in sign area.

2.11 No election sign shall be erected on the property where a polling facility is located, or within 60 m (197 feet) of a polling facility.

2.12 Election Signs for Candidates and/or Third Party Advertisers relating to a Municipal Ward Councillor shall not be placed outside of the Ward in which the Candidate seeks to represent.

2.13 A lessee or tenant of property may display an Election Sign as such conditions to reasonable size or type a landlord, building manager or condominium corporation deems appropriate.

2.14 No person shall deface or wilfully cause damage to a lawfully erected Election Sign.

2.15 The Town or any of its municipal servants, employees, agents or contractors will not be responsible for investigating or

prosecuting for any acts of vandalism to Election Signs.

2.16 No person shall display on any Election Sign a logo, trademark, official mark, or crest, in whole or in part, owned by the Town of Pelham.

2.17 Election Signs shall include:

- a) Where the owner is a candidate;
  - a. Name of candidate
- b) Where the owner is a registered third party;
  - a. Name of the registered third party;
  - b. The municipality where the registered third party is registered;
  - c. Telephone number, mailing address or email address at which the registered third party may be contacted regarding the Third Party Advertisement.

2.18 A candidate or third party registrant is required to submit a deposit in accordance with Schedule "A" before any person shall place or permit to be placed an Election Sign.

2.19 Subject to any deductions made under this by-law, a candidate or registered third party is entitled to have his/her deposit refunded, no later than 90 days after Voting Day.

2.20 If costs incurred by the Town in removing a candidate's sign(s), pursuant to this by-law, exceed the deposit paid by the candidate, the town shall notify the candidate who shall have five (5) business days after the date notice is received to pay:

- a) Outstanding costs of removal at a cost in accordance with Schedule "A"; and
- b) A further deposit as required under Schedule "A".

2.21 No permits are required from the Town for placing of Election Signs.

2.22 This by-law does not supersede any authority or remedy provided under the *Canada Elections Act*, the *Election Act (Ontario)* or the *Municipal Elections Act, 1996*, as amended.

2.23 This by-law does not relate to signs erected by or under the direction of the Clerk for the Town of Pelham, or by the Regional Clerk, as they relate to voting locations or voting booths, etc. which are not deemed to be campaign or third party signs.

### **3. TIME RESTRICTIONS:**

3.1 Election signs shall not be erected for a municipal election earlier than forty-five (45) days before voting day, with the exception of signage at a campaign headquarters.

3.2 No person shall place or permit to be placed an Election Sign for a Federal or Provincial election or by-election earlier than the day the Writ of Election or By-Election is issued.

3.3 Despite Section 3.1 and 3.2 of this by-law, Election Signs may be erected at a Campaign Office once the candidate/third



party has filed his or her nomination/registration papers and paid the required filing fee. For the purpose of this section, a candidate may designate only one building or part thereof in the municipality as the Campaign Office at any one time and must advise the clerk, in writing, of the address of the Campaign Office prior to erecting signs authorized by this section.

3.4 Election and campaign headquarters signs shall be removed no later than three (3) days following Election Day. The candidate shall be responsible for removal of the signs.

#### **4. REMOVAL AND RETURN OF ELECTION SIGNS – POWERS OF THE MUNICIPAL CLERK/ENFORCEMENT OFFICERS**

4.1 The Clerk and/or an Enforcement Officer may remove any Election Sign erected in contravention of this by-law without notice.

4.2 Any Election Sign removed as authorized by this by-law may be deposited elsewhere on the property on which it is located, or may be stored by the Town, its employees, agent or contractor.

4.3 If an Election Sign is removed in accordance with this By-law, the candidate/third party to whom the sign relates will be charged a fee, in accordance with Schedule "A", which will be deducted from the refundable portion of the candidate's deposit to cover the cost of the removal of the sign.

4.4 Where an Election Sign has been removed and stored, the Owner may reclaim such sign upon payment to the Town any outstanding costs incurred in the removal of such sign.

4.5 Where a sign has not been reclaimed within thirty (30) days of removal, such sign may be forthwith destroyed or otherwise disposed of by the Town, its employees, agent or contractor.

#### **5. LIABILITY**

5.1 The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing of such signs or resulting from the negligence or wilful acts of such person, or his or her agents or employees, in the construction erection, maintenance, repair or removal of any such signs. Further, provisions of this section shall not be construed as imposing on the Corporation of the Town of Pelham, its officers, employees, servants, agents and contractors, any responsibility or liability whatsoever by reason of the removal of any sign.

## **6. ENFORCEMENT**

6.1 This By-law may be enforced by the Clerk and/or the Enforcement Officer.

## **7. ENTRY AND INSPECTION**

7.1 Subject to the following conditions, an officer may at any reasonable time enter onto land for the purpose of carrying out an inspection to determine whether or not the provisions of this by-law are being complied with:

7.1.1 The power of entry shall be exercised by an employee, officer or agent of the municipality or a member of the police force of the municipality;

7.1.2 The person exercising the power must on request display or produce proper identification;

7.1.3 The person exercising the power may be accompanied by a person under his or her direction;

7.1.4 Except as provided in Section 7.1.5, authorization from the occupier of the land is required prior to exercising the power of entry provisions;

7.1.5 If the required authorization as per Section 7.1.4 is not obtained, a notice of the proposed entry shall be provided to the occupier of the land;

7.2 Where a notice of a proposed entry is required to be given as per Section 7.1.5, the notice must satisfy the following requirements:

7.2.1 The notice must be given to the occupier of the land in respect of which the power of entry will be exercised;

7.2.2 The notice may be given by personal service, prepaid mail or by posting the notice on the land in a conspicuous place;

7.2.3 The notice must be given a minimum of 24 hours before the power of entry is exercised.

## **8. RESTRICTIONS**

Every occupier shall permit an officer to inspect any land for the purposes as set out in Section 7.1 of this by-law.

## **9. INSPECTION POWERS**

For the purposes of an inspection, an officer may;

9.1. require the production for inspection of documents or things relevant to the inspection;

9.2. inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;

9.3 require information from any person concerning a matter related to the inspection; and

9.4 alone or in conjunction with a person possessing special or expert knowledge, make examinations or take photographs, necessary for the purposes of the inspection.

## **10. OBSTRUCTION**

10.1 No person shall obstruct, or attempt to obstruct, any officer or other person who is exercising a power or performing a duty under this by-law or the Municipal Act, 2001, S.O. 2001, c.25, as amended, or its predecessor.

10.2 Without limiting Section 10.1, "obstruct" includes:

10.2.1 to hinder or mislead;

10.2.2 to knowingly provide false information or make a false claim or statement;

10.2.3 to prevent, bar or delay, or attempt to prevent, bar or delay, entry or inspection by an officer, or any person under his or her direction;

10.2.4 to prevent, bar or delay, or attempt to prevent, bar or delay, any person, including an officer, from carrying out his or her duties or exercising his or her powers, including but not limited to the removal of documents or things relevant to the inspection, or the taking of any tests, samples or photographs necessary for the purposes of the inspection;

10.2.5 to prevent, bar or delay, or attempt to prevent, bar or delay, any person, including an officer, from carrying out his or her duties or exercising his or her authority pursuant to an order issued by a provincial judge or justice of the peace under Section 438 of the Municipal Act, 2001, S.O. 2001, c.25, as amended; and

10.2.6 to fail to provide, upon request by an officer, any information, documents or things relevant to an inspection.

10.3 Without limiting Sections 10.1 and 10.2, every person who is alleged to have contravened any of the provisions of this by-law shall identify themselves to an officer upon request and failure to do so shall be deemed to have obstructed the officer in the execution of his or her duties contrary to Section 10.1 of this by-law.

## **11. VALIDITY/SEVERABILITY**

11.1 In the event that any provision of this by-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of this by-law.

**12. PRECEDENCE OVER OTHER BY-LAWS**

12.1 In the event of a conflict between this by-law and the provisions of another Town by-law, the provisions of this by-law shall prevail.

**13. PENALTY**


13.1 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33.

**14. REPEAL, FORCE AND EFFECT**

14.1 Upon enactment of this by-law, Section 12.1 – Election Signs, By-law #3310(2012) be and is hereby repealed.

14.2 THAT this By-law shall come into force and effect upon the date of passing.

ENACTED, SIGNED AND SEALED THIS  
16<sup>th</sup> DAY OF APRIL, 2018 A.D.



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MAYOR DAVE AUGUSTYN



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CLERK NANCY J. BOZZATO

**SCHEDULE 'A'**  
**TO BY-LAW #####(2018)**

**ELECTION SIGN DEPOSIT**

Type	Deposit Required
Municipal Election or By-Election	
• Mayor	\$250.00
• Regional Chair	
• Regional Councillor	
• Third Party Advertiser	
• Ward Councillor	\$150.00
• School Board Trustee	\$75.00
Federal/Provincial Election or By-Election	\$250.00
Sign Removal Fee (Per Sign)	\$25.00