

2014



2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

PART A

INTRODUCTION

1.
 - (a) Subsection 42(3) of the Act requires the City Clerk to establish procedures and forms for the use of any alternative voting method and any vote counting equipment. That provision also requires that a copy of such procedures and forms be provided to each candidate.
 - (b) The purpose of this document is to establish procedures for the use of Vote Tabulators that are consistent with the principles of the Act.
 - (c) All revisions and/amendments to this document will be at the discretion of the City Clerk/Returning Officer, with notice to be provided to Candidates.
 - (d) The City Clerk, in the role of Returning Officer, may need to vary from these prescribed rules or develop additional ones from time to time if necessary. For greater clarity, the Clerk may, at any time up to and including Voting Day, amend the procedures contained herein. A copy of any amendment will be forwarded to each candidate.
 - (e) With respect to matters of policy and procedures for alternative voting methods and vote-counting equipment, the Clerk's decision is final.
 - (f) Questions regarding the procedures are welcome. For more information, please contact the Office of the City Clerk at (807) 625-2230 or drop by the Office of the City Clerk – 3rd Floor, City Hall, 500 Donald St. East, Thunder Bay, Ontario during regular business hours.

2014



2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

PART B

Definitions:

1. In this procedure,

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

Used Ballot – means a ballot that has been received by the Automated Vote Tabulator Officer and deposited in the ballot box;

Ballot Box - means an apparatus into which used ballots are received;

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

Memory Card - means a removable electronic storage device (card) on which all tabulated totals are stored;

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 but does expose the initials of the Assistant Deputy Returning Officer;

Valid Mark - means a mark made in the designated space to the right of the candidate's name using the black ballot-marking pen or an authorized accessibility assistive device. The elector to place an "X" mark by filling in the designated space a candidate's name;

Tabulator - means an apparatus that optically scans a designated area on the ballots to read the votes and tabulate the results.

2014



2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

Application of Procedure:

2. (a) This procedure applies to an election conducted by the City of Thunder Bay, that has passed By-law 118-1996 on June 10, 1996 under Section 42 of the *Municipal Elections Act, 1996, as amended*, authorizing the use of tabulators in the voting locations.
- (b) Where this procedure does not provide for any matter, an election to which this procedure applies shall be conducted as far as practicable in accordance with the principles of the *Municipal Elections Act, 1996, as amended*.

Election Officials:

3. The Returning Officer will appoint election officials for the purposes of this procedure and designate their titles and duties.

Voting Subdivisions:

4. In the City of Thunder Bay each of the seven Wards are divided into voting subdivisions.

Ballots:

5. (a) There shall appear on the ballot to the right of each candidate's name a designated space suitable for the marking of the ballot or for a by-law or question.
- (b) The instructions on the ballot direct the elector to vote by marking an "X" in the space provided beside the name of the candidate of his or her choice or the elector's answer to any by-law or question.

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

Tabulators:

6. The Returning Officer will provide a tabulator at each of the advance voting locations and all voting locations on Voting Day with the exception of Building / Hospital voting locations (Regular and Advance, if applicable). After the close of voting at the Building / Hospital voting locations the ballots shall be taken in a sealed ballot box to a designated location to tabulate the ballots by a tabulator.

Programming of the Automated Tabulators:

7.
 - (a) The 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.
 - (b) The tabulator shall be programmed so that the following ballots are returned or an alert appears providing options to the Automated Vote Tabulator Officer to present to the voter:

(1) Types of Ballot Alerts/Messages

- A ballot without votes in any of the designated voting spaces, as determined by a tabulator, whereby it does not have any valid votes cast, it concludes that the voter may have marked the ballot incorrectly and alerts indicating that the ballot is **blank**; i.e. the wrong marking instrument was used or it was marked in such a way that it cannot be read by the tabulator i.e. circling the name of the candidate – the result is an Alert and the voter will have the option to cast the ballot, as is, or have the ballot returned to them for review and/or correction.
- A ballot with less designated voting spaces marked for an office than the elector is entitled to vote for, as determined by a tabulator, whereby it informs of blank contests on the ballot and it alerts indicating that the ballot has missed contests, and is **undervoted** – the result is an Alert and the voter will have the option to cast the ballot, as is, or have the ballot returned to them for review and/or correction.

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- A ballot with a voter mark(s) that is not large enough or dark enough to clearly show the voter's intent, as determined by a tabulator, whereby it informs of **ambiguous marks** on the ballot - the result is a returned ballot, and the voter will have the option to examine their ballot and properly mark their selections or if necessary, have a new ballot issued.
- A ballot with more designated voting spaces marked for an office than the elector is entitled to vote for, as determined by a tabulator, whereby an **overvote** is detected it alerts indicating that the ballot is overvoted – the result is an Alert and the voter will have the option to cast the ballot as-is, and the ballot will be cast whereby the overvoted contest(s) will not be counted; or have the ballot returned to them for review and may request a replacement ballot.

(2) Defective/Damaged Ballots

- A ballot that is damaged or defective or has been marked in such a way that it cannot be properly processed by a tabulator indicating that the ballot is **unreadable** or that the ballot is misread. For example, this would occur if marks are placed in extraneous locations on the ballot such as in the coding area – the result is a returned ballot, the Automated Vote Tabulator Officer will re-feed the ballot, and if the ballot is returned again the voter will have the option to have a new ballot reissued by the ADRO; the unreadable ballot will be returned to the ADRO.
 - A ballot that is **missing the ADRO initials**, or the initials are unreadable, will be returned and cannot be cast; the Automated Vote Tabulator Officer and the MDRO will be requested to verify the validity of the ballot and may require verification of the voter, along with an ADRO, and have the option to provide the initials required, or if necessary reissue a replacement ballot.
- (c) On Voting Day, the tabulator shall be programmed so that a Vote Anywhere scenario can be implemented for voters who wish to visit a different voting location other than their assigned voting location; whereby the tabulator will be programmed to accept any ballot face in the jurisdiction. The Vote Anywhere locations (if any) will be determined by the City Clerk/Returning Officer.

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (d) For each Advance Voting location (where there is a designated vote tabulator), the tabulator shall be programmed so that a Vote Anywhere scenario can be implemented for voters who wish to visit an Advance Voting location; whereby the tabulator will be programmed to accept any ballot face in the jurisdiction. The Vote Anywhere locations will be determined by the City Clerk/Returning Officer.

Testing Of Tabulators:

8. (a) Prior to Voting Day, the Returning Officer shall test the tabulators to ensure that they will accurately count the votes for all candidates, by-laws and questions.
- (b) When testing the 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 tabulator.
9. There are several "Testing" phases before the voting equipment is ready for use at the advance vote or for Voting Day.
- (a) Testing The tabulators (Diagnostic Testing)
This test is conducted as part of the regular operation of the tabulators.
- (b) Testing Memory Cards
This will test every memory card to ensure it is not defective.
- (c) Testing Ballots
Once the ballots have been printed and received from the printing house, a test deck must be prepared and tested on each machine. A test deck must include every type of ballot used at a particular location and be comprised of samples of blank ballots, overvoted ballots, ballots with missed contests, undervoted ballots, (identified in 7.(b)(1)) and properly completed ballots.
- (d) Defective Machine
In the event that a tabulator must be replaced, or a memory card must be replaced, the unit/memory card must be retested before it is put into operation.

**2014 MUNICIPAL & SCHOOL BOARD ELECTIONS -
PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE
AUTOMATED VOTE TABULATORS**

If a tabulator/memory card is replaced, they must be tested and the test deck of ballots must be tested using the new tabulator/memory cards (this may be completed prior to replacement occurrence with designated replacement equipment).

(e) Test Documentation

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

The test shall be conducted in the following manner:

- load the memory cards into the tabulators;
- tabulate a pre-audited group of ballots including ballots that fall into each of the categories of ballots described in Section 7 (b) (1) and properly completed ballots and ballots on which are recorded a predetermined number of valid votes for each candidate; and
- compare the output of the tabulation against the pre-audited results.

Re-Testing of Tabulators:

10. In the event that a tabulator malfunctions during the voting process, the preferred course of action is to substitute the faulty equipment with a new tabulator.

Prior to Voting Day, any “spare” voting tabulators are tested along with the other tabulators, as described in Section 8 and 9.

The following steps are to be performed in order to smoothly, and quickly replace the faulty equipment and resume regular voting activities.

**Note: At no time should an elector be prevented
from casting their ballot.**

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (a) The Automated Vote Tabulator Officer shall remove the memory cards from the faulty tabulator. The Automated Vote Tabulator Officer shall pack up the faulty tabulator and set up the substitute tabulator. **IMPORTANT – before unplugging the Tabulator write down the number of ballots processed shown on the faulty tabulator.** In an effort to expedite the replacement, the election official who delivered the replacement tabulator may assist in packing up the faulty tabulator.
- (b) The Automated Vote Tabulator Officer shall place the memory cards from the faulty tabulator into the replacement tabulator. The Automated Vote Tabulator Office will reseal the memory cards and note the seal number on the card on the tabulator and continue feeding ballots into the tabulator.
- (c) The ballots that were manually inserted into the auxiliary compartment of the ballot box during the “equipment replacement” shall be processed at the close of the vote at 8:00 p.m. on Voting Day as per Section 20.

Post - Election -Testing of Tabulators

11. Following Voting Day, the City Clerk/Returning Officer shall test the tabulators to ensure that they will accurately count the votes for all candidates, by-laws and questions with the use of the same ‘test deck’ of ballots (for a specified poll location(s) determined by the City Clerk/Returning Officer) used in the initial testing of the vote tabulators, utilizing the procedure outlined in Section 8 (b) and Section 9 (a), 9(c), 9(d), and 9(e), as well as a set of test memory cards determined by the City Clerk/Returning Officer.

Candidates/Scrutineers

12.
 - (a) candidates may appoint scrutineers in writing on the form provided, to represent him/her at the voting location. Scrutineers must show their written appointment to election officials and take the Oral Oath of Secrecy;
 - (b) the Managing Deputy Returning Officer is responsible for the conduct of the voting location and no candidate or scrutineer has any right to interfere with the Managing Deputy Returning Officer in the discharge of his/her duties;

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (c) during the fifteen minutes before the opening of the voting location, the scrutineers who are entitled to be present in a voting location during voting hours are entitled to inspect the ballots and all other papers, forms and documents relating to the voting but not so to delay the timely opening of the voting location;
- (d) only one scrutineer for each certified candidate at each voting location may be present within the voting location at any time. The scrutineer may be located at either the ballot issuing location or the tabulator but not both; in a position designated by the MDRO. If the candidate or another of their scrutineers enters the voting location, the other scrutineer must leave;
- (e) scrutineers may wish to carry a clipboard for their use, as sitting at the tables provided for election officials is not permitted;
- (f) scrutineers must not attempt to directly or indirectly influence how an elector votes;
- (g) scrutineers are not allowed to enter a voting booth while occupied by an elector, or be in a position to see how the elector marks their ballot;
- (h) scrutineers shall not display any campaign material or literature in a voting location or on themselves;
- (i) if voting by a person is objected to by a scrutineer, the election official shall note the objection on the Voters' List and require the elector to take a prescribed oath prior to issuance of a ballot;
- (j) to protect the secrecy of the vote, scrutineers will not be able to examine the ballots or to object to ballots or to the counting of votes in a ballot as provided for in Section 47(5)(e) and 47(5)(f) and Section 54(3) of the Act as the ballots are being fed into the tabulator by the Election Officer;
- (k) the total votes cast for each candidate as counted by the vote tabulating equipment and as accepted by the Automated Vote Tabulator Officer is final;

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (l) an Automated Vote Tabulator Officer shall provide the scrutineer with a printout of the results, if requested;
- (m) after the Managing Deputy Returning Officer seals the ballot box, scrutineers may place their seal or sign the seal provided on the ballot boxes;
- (n) after the close of voting a candidate or his/her scrutineer is entitled to be present when the ballot boxes and documents are delivered to a location designated by the Returning Officer, no candidates or his/her scrutineers will be permitted to enter the voting location after the closing of the voting location (8:00 p.m.);
- (o) for the purposes of this section, candidates who enter the voting location are considered to be scrutineers.

Procedure At The Voting Location:

- 13.
 - (a) If a tabulator is to be used in a voting location, the Automated Vote Tabulator Officer shall, in the presence of all scrutineers and election officers present, cause the tabulator to print a copy of all totals in its memory card one hour or less before the opening of the voting location to confirm zero "0" total;
 - (b) If the totals are zero "0" for all candidates, by-laws and questions, the Automated Vote Tabulator Officer shall ensure that the zero printout remains affixed to the tabulator until the results are printed by the tabulator after the close of the vote;
 - (c) Prior to the commencement of voting, if the totals are not zero "0" for all candidates, by-laws or questions, the Automated Vote Tabulator Officer shall immediately notify the Managing Deputy Returning Officer who will notify the Returning Officer for further instruction;
 - (d) The Automated Vote Tabulator Officer shall conduct the vote using the auxiliary compartment of the ballot box until the tabulator is made operational or the Returning Officer provides a auxiliary tabulator to the voting location.

Procedures in Normal Circumstances:

14. (a) as each elector arrives at the ballot issuing table, the Election Officer verifies that the name of the person is entered on the Voters' List. The Assistant Deputy Returning Officer shall, at the same time as the ballot is delivered, provide a secrecy folder to each elector and briefly explain the voting procedure;
- (b) Upon receiving a ballot and a secrecy folder the elector shall,
- immediately proceed into the voting booth provided; and
 - using the ballot-marking pen provided, vote by marking an "X" to the right of the candidate name(s) of their choice or for the answer to any by-law or question; for designated locations, in the case of a voter requiring assistance, they may use the authorized assistive accessibility device to mark an "X";
- (c) After marking the ballot in the voting booth, the elector shall,
- insert the ballot into the secrecy folder with the Assistant Deputy Returning Officer's initials showing;
 - leave the booth without delay; and
 - deliver the secrecy folder containing the ballot to the Automated Vote Tabulator Officer with the Assistant Deputy Returning Officer's initials showing.

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (d) The Automated Vote Tabulator Officer immediately requests that the elector please remain at the location until the ballot has successfully been accepted, and in the presence of the elector and without removing the ballot from the secrecy folder shall:
- if a tabulator is available in the voting location, insert the secrecy folder containing the ballot, into the feed area of the tabulator until the tabulator draws the ballot from the secrecy folder in full view of the elector; or
 - if a tabulator is not available in the voting location, the MDRO/ADRO will insert the ballot directly into the ballot box from the secrecy folder in full view of the elector.
- (e) If a tabulator is available in the voting location but fails to operate, the Automated Vote Tabulator Officer shall;
- insert the ballot into the auxiliary compartment of the ballot box, and
 - insert the ballots into the feed area of the tabulator after the close of the voting.
- (f) The Automated Vote Tabulator Officer thanks the elector, and the elector promptly leaves the voting location. A person whose ballot has been placed in the ballot box is deemed to have voted.

Procedures in Extraordinary Circumstances:**15. Blank Ballot Ejected by Tabulator:**

The tabulator will not accept blank ballots:

- (a) the Automated Vote Tabulator Officer shall advise the elector that the tabulator does not detect any votes in the designated voting spaces and requests the elector to proceed to the voting compartment to complete the ballot;
- (b) if the elector chooses not to complete the ballot or has left the voting location and returns the ballot to the Automated Vote Tabulator Officer, the Automated Voting Tabulator Officer confirms the elector's intentions and then inserts the ballot into the tabulator by pressing the cast button;
- (c) if the ballot described in Section 7 ("Blank/Un-Voted") is alerted by the tabulator and the elector who delivered the ballot **is not present**, the Automated Vote Tabulator Officer shall use the tabulator cast button.

16. Ballot Accidentally Spoiled:

- (a) the tabulator will alert to ballots which have over-votes for any of the races (i.e. the elector selected too many candidates and/or questions/bylaws);
- (b) if a ballot described in Section 7 ("Overvoted") is alerted by the tabulator and the elector who delivered the ballot **is still present**, the Automated Vote Tabulator Officer will advise the elector they have overvoted, and if they wish to be reissued a ballot, they will direct the elector to the Assistant Deputy Returning Officer who, if the elector agrees, will mark the ballot "cancelled", place the ballot in the cancelled ballot envelope, deliver another ballot to the elector and instruct the elector how to properly mark the ballot;
- (c) if the elector chooses not to complete a new ballot the Automated Vote Tabulator Officer confirms the elector's intentions and presses the cast button;

**2014 MUNICIPAL & SCHOOL BOARD ELECTIONS -
PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE
AUTOMATED VOTE TABULATORS**

- (d) if the ballot described in Section 7 (“Overvoted”) is alerted by the tabulator and the elector who delivered the ballot **is not present**, the Automated Vote Tabulator Officer shall use the tabulator cast button.

17. **Damaged or Defective Ballot:**

- (a) if a ballot described in Section 7 that is unreadable or misread or missing ADRO initials, is returned by the tabulator and the elector who delivered the ballot **is still present**, the Automated Vote Tabulator Officer shall re-insert the ballot into the feed area of the tabulator. If the tabulator again rejects the ballot, the Automated Vote Tabulator Officer will direct the elector to the Assistant Deputy Returning Officer who, if the elector agrees, will mark the ballot cancelled and give the elector another ballot;
- (b) if the elector who delivered the ballot **is not present**, the Automated Vote Tabulator Officer shall insert the ballot into the auxiliary compartment of the ballot box.

18. **Ballot Jam (Stuck Ballots):**

- (a) if a ballot jams in the tabulator (paper jam), the Automated Vote Tabulator Officer will determine if the ballot has been processed – check messages on the ***screen to and determine whether there is a front or rear jam, and whether the ballot has been process.***
- If the message indicates the ballot **has been processed**, the Automated Vote Tabulator Officer will request the elector to remain at the tabulator and request the assistance of the MDRO. The Automated Vote Tabulator Officer, along with the MDRO or designate, shall: 1. carefully remove the ballot - in the case of a ‘rear’ jam – lift the tabulator carefully, and immediately place the ballot face down; in the case of a ‘front’ jam – insert the ballot in a secrecy folder; 2. carefully lift the tabulator and place the ballot into the ballot box;

**2014 MUNICIPAL & SCHOOL BOARD ELECTIONS -
PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE
AUTOMATED VOTE TABULATORS**

- (b) the Automated Vote Tabulator Officer shall explain to the elector the tabulator has recorded the votes even though the ballot did not completely exit the tabulator into the ballot box;
- (c) If the message indicates the ballot **has not been processed**, the Automated Vote Tabulator Officer will request the elector to remain at the tabulator and request the assistance of the MDRO. The Automated Vote Tabulator Officer, along with the MDRO or designate, shall: 1 . carefully remove the ballot and immediately place the ballot face down in a secrecy folder - in the case of a 'rear' jam – lift the tabulator carefully to remove the ballot; and 2. request the elector to return to the Assistant Deputy Returning Officer with the unread ballot to obtain a replacement ballot;
- (d) if the ballot is not visible and the message indicates it has been processed, the Automated Vote Tabulator Officer shall immediately advise the Managing Deputy Returning Officer who shall call for technical assistance. The Managing Deputy Returning Officer will explain to the elector that the tabulator has recorded the votes even though the ballot did not completely exit the tabulator into the ballot box. The Automated Vote Tabulator Officer will open the auxiliary compartment ballot slot to receive electors' ballots while awaiting technical support;
- (e) if the ballot is not visible and the message indicated it has not been processed, the Automated Vote Tabulator Officer shall immediately advise the Managing Deputy Returning Officer who shall call for technical assistance. The Automated Vote Tabulator Officer shall direct the elector to return to the Assistant Deputy Returning Officer for a new ballot. The Automated Vote Tabulator Officer will open the auxiliary compartment ballot slot to receive electors' ballots while awaiting technical support;
- (f) if a message other than those outlined above appears or the ballot is jammed and cannot be easily rectified by following the directions on the screen, the Automated Vote Tabulator Officer shall immediately advise the Managing Deputy Returning Officer who if necessary will call for technical assistance.

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (g) if the elector who delivered the ballot **is not present**, once the ballot is removed from the tabulator, the Automated Vote Tabulator Officer shall insert the ballot into the auxiliary compartment of the ballot box and treat the ballot as a Damaged/Defective Ballot.

UNLESS DIRECTED BY THE MDRO AND/OR RETURNING OFFICER, ONLY AFTER THE BALLOT JAM HAS BEEN RECTIFIED, WHEREBY THE BALLOT IS REMOVED FROM THE TABULATOR AND I.E. NEW BALLOT ISSUED OR BALLOT PLACED IN THE BALLOT BOX, THE AUTOMATED VOTE TABULATOR OFFICER IS TO PRESS 'CLEARED' AND MAY RESUME SCANNING BALLOTS

Note: if required, it is recommended, after the processing of 500 ballots and periodically thereafter, the Automated Vote Tabulator Officer open the doors of the ballot box and push down the ballots to prevent jamming.

Procedure for Closing the Voting Location During Advance Voting:

19. (a) If a tabulator has been used for advance voting, the procedures contained in this Section shall be followed by the Managing Deputy Returning Officer to close the advance voting location;
- (b) The Automated Vote Tabulator Officer removes all defective ballots from the auxiliary compartment of the ballot box and delivers the defective ballots to a designated Assistant Deputy Returning Officer. These ballots were previously placed in the auxiliary compartment of the ballot box because they could not be read by the tabulator and the elector had left the voting location;
- (c) The Assistant Deputy Returning Officer uses a new unused ballot and prepares a replacement ballot in full view of any candidates or scrutineers present by marking a new ballot with the same marks contained in the designated voting spaces on the defective ballot, and the replacement ballot shall be clearly labelled "replacement" and given a serial number on the back of the ballot which shall also be recorded on the defective ballot;

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (d) The Assistant Deputy Returning Officer shall substitute the replacement ballot for the defective ballot and deliver the replacement ballot to the Automated Vote Tabulator Officer who shall feed the replacement ballot into the tabulator. If the tabulator still will not process the ballot (i.e. the original marks made by the elector and duplicated by the Assistant Deputy Returning Officer are incapable of being processed by the tabulator) use the tabulator cast button;
- (e) The defective ballot is then placed in a defective ballot envelope (if the tabulator was not able to process the replacement ballot, this fact shall be recorded on the defective ballot);
- (f) The Managing Deputy Returning Officer shall, after the close of the advance voting, check the back-up compartment of the ballot box to ensure all ballots have been removed and processed;
- (g) The Automated Vote Tabulator Officer notes and writes down the number of ballots processed through the unit, as indicated on the tabulator. This number must be recorded on the statement form provided;
- (h) The Managing Deputy Returning Officer shall designate an Assistant Deputy Returning Officer to complete Envelope D (which is actually a seal to be placed on all the unused ballot boxes) and writes down the number of unused ballots to give to the Managing Deputy Returning Officer. This number must be recorded on the statement form provided.
- (i) The Automated Vote Tabulator Officer shall close the polls on the tabulator by using the security key. A Results Tape of the Election Printed Record will print from the tabulator once the poll is closed. The AVTO will remove the zero "0" totals and the results tape from the tabulator, unplug the tabulator, break the seal on the memory card door and remove the memory cards. Give the tape and the memory card to the Managing Deputy Returning Officer. The Managing Deputy Returning Officer will place the zero "0" totals tape into the Statement Envelope. The Managing Deputy Returning Officer shall then place the Statement Envelope along with the Memory Cards and all keys from the tabulator into Envelope "A".

2014



**2014 MUNICIPAL & SCHOOL BOARD ELECTIONS -
PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE
AUTOMATED VOTE TABULATORS**

- (j) The Automated Vote Tabulator Officer shall remove the tabulator from the ballot box and place it in the case provided; and transfer all of the ballots into a ballot transfer carrier properly identified by number and location and seal the ballot transfer carrier in such a manner that it cannot be opened or any ballots deposited in it without breaking the seal;
- (k) The Automated Vote Tabulator Officer and an Election Officer shall place used ballots in the ballot transfer carriers provided and ensure the carriers are properly identified with the advance voting number and location.
- (l) The Automated Vote Tabulator Officer shall seal the ballot transfer carriers to ensure they cannot be re-opened without breaking the seal.
- (m) The Managing Deputy Returning Officer shall ensure the used ballots in the ballot transfer carriers and Envelope "A" are returned to the Returning Officer.

8:00 P.M. - VOTING DAY FOR ADVANCE VOTING

- (n) The Managing Deputy Returning Officers and the Automated Voting Tabulator Officers from the advance voting locations must arrive at City Hall prior to 8:00 p.m. to process the results of advance voting. The Managing Deputy Returning Officers will ask for their Envelope A. These election officials will be assigned a location/room, as well as any scrutineers and will not be able to leave until the after the results are completed and recorded, at 8:00 p.m.
- (o) The Automated Vote Tabulator Officer will print two Results Tape of the Election Printed Record and complete two (2) Official Election Printed Records (of the results) for each of the advance voting locations.
- (p) The Automated Vote Tabulator Officer shall provide additional copies of the Official Election Printed Record for any scrutineer upon request.
- (q) The Managing Deputy Returning Officer completes the Official Election Printed records.

2014



2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (r) The Managing Deputy Returning Officer and the Automated Vote Tabulator Officer sign the Official Election Printed Records along with any scrutineers who are present and wish to sign and place the original copy in the Statement Envelope and the second copy in the ballot transfer carrier containing the used ballots. The ballot transfer carrier must then be resealed. The Managing Deputy Returning Officer will ensure the zero “0” record printed at the advance voting location is placed with the first Official Election Printed Record.
- (s) The Managing Deputy Returning Officer shall deliver Envelope “A” that includes the memory cards in the package provided and the keys to the tabulator along with the Statement Envelope and all its contents to the Returning Officer.

8:00 P.M. - VOTING DAY FOR REGULAR VOTING
--

- 20.
 - (a) The Automated Vote Tabulator Officer removes all defective ballots from the auxiliary compartment of the ballot box. These ballots were previously placed in the auxiliary compartment because they could not be read by the tabulator and the elector had left the voting location;
 - (b) the Assistant Deputy Returning Officer uses a new unused ballot and prepares a replacement ballot in full view of any candidates or scrutineers present by marking a new ballot with the same marks contained in the designated voting spaces on the defective ballot; note: only the marks in the appropriate designated space to the right of the candidates will be marked on the new ballot;
 - (c) the replacement ballot shall be clearly labeled “replacement” and given a serial number which shall also be recorded on the defective ballot;
 - (d) the Assistant Deputy Returning Officer gives the replacement ballot to the Automated Vote Tabulator Officer who shall feed the replacement ballot into the tabulator. If the tabulator still will not process the ballot (i.e. the original marks made by the elector and duplicated by the Assistant Deputy Returning Officer are incapable of being processed by the tabulator), use the tabulator Cast/Accept button and insert the ballot into the ballot box;

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (e) the Assistant Deputy Returning Officer places the defective ballot in the defective ballot envelope (if the tabulator was not able to process the replacement ballot, this fact shall be recorded on the defective ballot);
- (f) the Managing Deputy Returning Officer shall, after the close of the voting, check the auxiliary compartment to ensure all ballots have been removed and processed;
- (g) the Automated Vote Tabulator Officer notes and writes down the number of ballots processed through the unit as indicated on the digital counter on the tabulator. This number will later be recorded on the Official Election Printed Record;
- (h) the Automated Vote Tabulator Officer secures the tabulator from receiving any more ballots by printing the first Official Election Printed Record;
- (i) the Managing Deputy Returning Officer completes the Official Election Printed Records with the following information:
- (j) the Managing Deputy Returning Officer and the Automated Vote Tabulator Officer sign the Official Election Printed Record along with any scrutineers who are present and wish to sign;
- (k) after the first copy of the Official Printed Election Record containing the zero "0" totals is duly completed and signed place the record in the Statement Envelope;
- (l) the second copy of the Official Printed Election Record, duly completed and signed is placed in a ballot box/ballot transfer carrier containing the used ballots;
- (m) if requested by a scrutineer, a third copy is printed, duly completed and signed and provided to the scrutineer (repeat for each scrutineer);

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (n) ensure the Statement Envelope (containing the zero “0” totals report with the first Official Printed Election Record and copies of all forms as indicated on the front of the Statement Envelope) are all placed in Envelope “A”; sealed and set aside;
- (o) place all other unused forms and supplies beside the ballot box for transfer to a designated location;
- (p) the Managing Deputy Returning Officer shall assign the Automated Vote Tabulator Officer and Location Officer to remain at the voting location until a courier has removed the ballot box(s), used ballots sealed in the ballot box(s), unused ballots and other supplies;
- (q) the Managing Deputy Returning Officer shall deliver Envelope “A” to the Returning Officer and the vote tabulator to City Hall.
- (r) Envelope “A” shall contain:
 - Statement Envelope containing:
 - First Official Election Printed Record From the tabulator with the zero “0” totals attached
 - Certificate and Receipt of Ballots
 - Applications to Amend Voters’ List
 - Appointments of Voting Proxy
 - Attendance Payroll Form
 - All other forms;
 - Memory Cards;
 - Keys from the vote tabulators.

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (s) if a tabulator has been used to tabulate votes cast in a voting location but the tabulation of the votes cannot be completed because the tabulator is not operating or cannot be made to operate within a reasonable time following the close of the voting, the Managing Deputy Returning Officer under instruction of the Returning Officer, shall:
- transfer all unprocessed ballots from the auxiliary compartment (if any have been deposited during the voting day) to a ballot transfer carrier properly identified by number and location and seal the ballot transfer carrier in such a manner that it cannot be opened or any ballots deposited in it without breaking the seal;
 - transfer all used ballots to the ballot transfer carriers properly identified by number and location and seal the ballot transfer carriers in such a manner that they cannot be opened or any ballots deposited in it without breaking the seal;
 - compile for transfer all items required for insertion into Envelope "A" as stated in Section 20;
 - record number of ballots processed from the tabulator as indicated on the digital counter at the front of the tabulator;
 - unplug the tabulator;
 - break the seal on the memory card port, remove the memory cards and place in the package provided and give to the Managing Deputy Returning Officer;
 - the Managing Deputy Returning Officer shall assign the Information and Location Officer(s) to remain at the voting location until the courier has removed the ballot box, unused ballots and other supplies for delivery to a location designated by the Returning Officer;

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- the Managing Deputy Returning Officer and the Automated Vote Tabulator Officer shall personally deliver the tabulator, the ballot transfer carriers, cancelled, declined and defective ballots, applications to amend voters' list, appointment of voting proxy, attendance payroll form, memory cards in the package, and keys to a location designated by the Returning Officer where a back-up tabulator is located;
- insert the memory cards from the defective Tabulator into a back-up Tabulator;
- Follow the procedures in Section 20.

No Tabulator Provided Building/Hospital Locations:

21. If a tabulator has **not** been provided to tabulate votes cast in a voting location, the Managing Deputy Returning Officer shall immediately after the close of voting:
 - (a) seal the ballot box, that has been properly identified by number and location, containing the used ballots to ensure it cannot be re-opened without breaking the seal and cover the ballot slot with a seal;
 - (b) ensure Form EL25 "Certificate and Receipt For Ballots" has been completed;
 - (c) prepare all the envelopes;
 - (d) take all election materials to a location designated by the Returning Officer;
 - (e) the Automated Vote Tabulator Officer shall break the seal on the ballot box, at the location designated by the Returning Officer and shall feed the ballots (from the voting location(s) where a Tabulator was not used) into the tabulator;
 - (f) follow procedures as described in Section 19 the Managing Deputy Returning Officer shall also assume the duties of the Assistant Deputy Returning Officer if not present.

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

- (g) The total of the votes of an advance voting location or at a voting location that closes early under Section 46(3) of the Act shall not be released until 8:00 p.m. on Voting Day; the procedures under Section 19 shall be followed on Voting Day, at a time and location determined by the City Clerk/Returning Officer.

General:

22. If, at the close of the voting, the Returning Officer is of the opinion that it is impracticable to count the votes with the tabulator, he or she may direct that all the votes cast in the election shall be counted manually following as far as practicable the provisions of the Act governing the counting of the votes.
23. The Returning Officer shall at the completion of the count, retain the memory cards, test materials and ballots in the same manner as is provided for in the Act for the keeping of election records.

Advance Voting and Early Closing of Voting Locations – Voting Day

24. The total of the votes of an advance voting location or at a voting location that closes early under Section 46(3) of the Act shall not be released until 8:00 p.m. on Voting Day; the procedures under Section 19 shall followed on Voting Day, at a time and location determined by the City Clerk/Returning Officer.
25. When the Memory Card results are received by the City Clerk/Returning Officer, the unofficial results will be announced.

2014 MUNICIPAL & SCHOOL BOARD ELECTIONS - PROCEDURE GUIDELINE FOR VOTING & THE USE OF THE AUTOMATED VOTE TABULATORS

Recounts

26. Subject to the order of a judge under Section 60(3) of the Act, if a recount of votes is held, the votes shall be counted in the same manner as the votes were counted on Voting Day.
27.
 - (a) A tabulator shall be tested before the recount in the manner described in Section 8 and 9.
 - (b) The Recount Officer shall attend the recount and bring the ballot transfer carriers, tabulators, statement envelopes and all documents that, in the opinion of the City Clerk/Returning Officer, are relevant to the recount.
 - (c) If a tabulator is used for a recount, the recount is limited to the ballots tabulated by a tabulator during advance voting days and on voting day.
 - (d) Subject to an order of a judge under Section 60(3) of the Act, if a tabulator is used for a recount, those persons referred to in paragraph 2, 3 or 4 of Sections 61(1) or 61(2) will be unable to examine the ballots or to dispute the validity of a ballot or the counting of votes in a ballot as provided for in Section 61(5) of the Act, as the ballots are being fed into the tabulators by the Election Officers.