



The Corporation of the Township of Uxbridge

Municipal Election 2022

Vote By Mail & Centralized Scanner/Tabulators

Procedures and Rules

Powers of the Clerk – s. 12 (1) Municipal Elections Act, 1996

- 12 (1) *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.*

Declaration

In accordance with Sections 12(1) and 42(3) of the *Municipal Elections Act, S.O. 1996*, as amended, I hereby certify that the attached procedures shall be followed in conducting the 2018 Municipal Election in the Township of Uxbridge.

DATED at the Township of Uxbridge, in the Regional Municipality of Durham this 1st day of June, 2022.

*Amended October 4, 2022

Debbie Leroux, Director of Legislative Services/Clerk
Returning Officer
Corporation of the Township of Uxbridge

Overview

The *Municipal Elections Act, S.O. 1996*, as amended, grants authority to the Municipal Clerk, as Returning Officer, to establish procedures and forms for voting within their municipality (Section 42(3)(a)). The Act further grants the Clerk authority to provide for any matter or procedure that is not otherwise provided for in the Act, and in the Clerk's opinion, is necessary or desirable for conducting the election (Section 12 (1)).

On May 10, 2021, Council enacted By-law Number 2021-050, being a by-law to authorize the Clerk to conduct the municipal elections using a vote by mail ballot process and to authorize the use of automated vote tabulators.

The following procedures detail the process to be followed, as directed by the Clerk, for the 2022 Municipal Election in the Township of Uxbridge.

It is anticipated that these procedures will be amended specifically with respect to certain dates (e.g. mailing of ballots, receipt of ballots, etc.). Pursuant to Section 19 of the Act, the Clerk has the ability to amend these procedures at any time.

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1. Election Personnel

- 1.1 The Clerk may appoint in writing, Deputy Returning Officers (DRO's) and such other officials as required to assist in the administration, management, security, and control of the Vote by Mail election system.
- 1.2 Written appointments and delegation of duties of DRO's and Election Officials shall include the authority to require any person to furnish proof of identity or qualifications pursuant to the *Municipal Elections Act*, S.O. 1996, as amended.

2. Notices

- 2.1 All advertisements and notices shall be published in a newspaper that, in the opinion of the Clerk, is of sufficiently general circulation to notify the voters of the municipality, as well as on the municipality's website: www.uxbridge.ca The Clerk may also place notices in other newspapers, with general circulation, as they deem appropriate.
- 2.2 Notice of Nomination is to be published and posted by Nomination Day. Nomination period runs from **Monday, May 2, 2022** to **Friday, August 19, 2022 at 2:00 p.m.** as determined by the clock within the Clerk's Department, Uxbridge Town Hall.
- 2.3 Notice of Revision of the Voters' List is to be published and posted before **September 1, 2022**. The revision period runs from **September 1, 2022**, to the close of voting on **October 24, 2022**, at 8:00 p.m.
- 2.4 Notice of Vote is to be published and posted on **October 5, 2022**.
- 2.5 The Clerk reserves the right to publish additional advertisements and notices, as deemed appropriate.

3. Nominations

- 3.1 A prescribed nomination form, which must be endorsed by at least 25 persons who are eligible electors within the municipality, must be signed by the Candidate or his/her agent, in person, on or before Nomination Day, **Friday, August 19, 2022**, during regular business hours, Monday through Friday, 8:30 a.m. until 4:30 p.m. On Nomination Day, nominations may only be filed between the hours of 9:00 a.m. and 2:00 p.m.
- 3.2 Faxed or emailed nomination forms are not permitted, original signatures are required.

- 3.3 The prescribed nomination filing fee of \$200.00 must accompany the nomination form for the office of Mayor and the nomination filing fee of \$100.00 must accompany the nomination form for all other Candidates. Payment shall be made by cash, debit or cheque.
- 3.4 A Candidate must satisfy all of the following qualifications at the time of registering a nomination for a Council position:
- A Canadian citizen;
 - At least 18 years of age;
 - A resident of the Township of Uxbridge;
 - The owner or lessee of property in the Township of Uxbridge or spouse;
 - Not legally prohibited from voting; and
 - Not disqualified by any legislation from holding municipal office.
- 3.5 At the time of registration of the Nomination Papers, the Clerk or designate, will ensure the following:
- The Candidate is on the Voters' List and is an eligible elector in the Township of Uxbridge;
 - The Nomination form is complete and a copy is provided to the Candidate;
 - The Candidate is aware of how his/her name will appear on the ballot;
 - The prescribed nomination fee is received and a receipt is given to the Candidate and a copy retained for the file;
 - The Declaration of Qualifications has been completed and signed;
 - The Certificate of Maximum Expenses, at filing, has been completed and given to the Candidate and a copy retained for the file;
 - The Personal Information Release Form has been completed and a copy is provided to the Candidate;
 - The Candidate's Guide has been given to each Candidate;
 - The Candidate has completed the election sign permit form provided the fee (if applicable) and a receipt is given to the Candidate and a copy retained for the file; and
 - The Candidate's name is added to the Township's website together with any personal information permitted by the Candidate. Names will be added by race in the order that nominations are received.
- 3.6 The onus is on the Candidate to file a bona fide nomination paper, ensuring that at least 25 endorsement signatures are from eligible electors, which will be accepted at face value. The Clerk shall have each Candidate complete a Declaration of Qualification and the form may be

sworn before any commissioner/notary but the Clerk may refuse to administer any oath if they do not believe the information given is true.

- 3.7 The onus is also on the Candidate to ensure that they are included on the Voters' List for the Township of Uxbridge and that the information shown thereon is complete and accurate. If an addition or correction is required, the Candidate must request an Application to Amend the Voters' List (EL15 form). The Voter's List will be made available to the Candidates on **September 1, 2022**, upon submission of the Voters' List Request Form. One electronic copy of the Voters' List will be provided to each certified Candidate. Paper copies shall be available to the Candidate at a cost of \$25.00.
- 3.8 Once a nomination paper has been filed with the Clerk, it will remain in the possession of the Clerk but shall be open for inspection by any person during normal Department hours (Monday – Friday, 8:30 a.m. – 4:30 p.m.)
- 3.9 The Clerk may, at any time prior to certifying the nomination papers, review any nominations received. If the Clerk has knowledge that the information presented on the Nomination Form has been determined to be untrue, they may advise the Candidate that the nomination is rejected, the nomination fee will be refunded and the Candidate's name will be removed from the website.
- 3.10 A Member of Council must maintain their qualifications throughout the entire term of office or their seat will become vacant.
- 3.11 Candidates may withdraw their nominations by delivering a written withdrawal to the Clerk on or before 2:00 p.m. on Nomination Day (Friday, August 19, 2022). If the withdrawal is submitted by anyone other than the Candidate, the Clerk will ensure that the withdrawal is valid and was submitted with the Candidate's permission. The Candidate will be required to submit a Financial Statement (Form 4) covering all financial transactions up to the time of the withdrawal. This statement is due no later than **March 31, 2023**.
- 3.12 If a Candidate wishes to file a subsequent nomination for another position, the original nomination is deemed to be "withdrawn" and a new form must be submitted. The 25 required endorsements carry over and do not have to be re-submitted.
- 3.13 In the event that there is an insufficient number of certified Candidates to fill all positions available, nominations will be re-opened for the vacant positions, only, on **Wednesday, August 24, 2022**, between the hours of 9:00 a.m. – 2:00 p.m. Such additional nominations, if required, shall be filed in the Department of the Clerk as set out above.

- 3.14 In the event that there are insufficient nominations received for any position after nominations are re-opened, the Clerk shall hold a by-election, unless the number of Candidates declared elected (acclaimed) forms a quorum. In this instance, the vacancy may be filled by appointment, which will not be determined until the new Council gives direction.

4. Forms

Prescribed Forms

- 4.1 The following list includes all prescribed forms used in the conduct of the 2022 Municipal Election. (*Regulation 101/97, as amended*)

- Form 1** – Nomination Paper
- Form 2** – Endorsement of Nomination
- Form 4** – Financial Statement - Auditor's Report - Candidate
- Form 5** – Financial Statement - Subsequent Expenses
- Form 6** – Notice of Extension of Campaign Period
- Form 7** – Notice of Registration – Third Party
- Form 8** – Financial Statement – Auditor's Report – Third Party
- Form 9** – Declaration of Identity

Other Election Forms

- 4.2 In addition to the aforementioned prescribed forms, the forms listed below may be used in the conduct of the 2022 Municipal Elections:
- EL15 – Application to Amend Voters' List;
 - EL16 – Application for Removal of Another's Name from the Voters' List;
 - EL11 – Appointment and Oath of an Election Official;
 - EL10 – Appointment and Oath of a DRO;
 - EL12A – Appointment of Scrutineer by Candidate;
 - EL14 – Candidate's Declaration-Proper Use of Voters' List;
 - EL8 – Certificate of Election Results;
 - EL37 – Certificate of Maximum Campaign Expenses;
 - EL22 – Certificate of the Voters' List;
 - EL20 – Declaration of Acclamation to Office;
 - EL32 – Declaration of Election Candidate;
 - EL41 – Declaration of Recount Results;
 - EL36 – Disclaimer to Right to Office;
 - EL9 – Final Summary of Election Results;
 - EL7 – List of Certified Candidates;
 - EL21 – Notice of Death of Candidate;

- EL43 – Notice of Default;
- EL17 – Notice of Nomination for Office;
- EL39 – Notice of Recount;
- EL42 – Notice to Candidate of Filing Requirements;
- EL27 – Oral Oath of Friend or Interpreter;
- EL12B – Oral Oath of Secrecy;
- EL40 – Recount Results;
- EL24 – Sample Notice of Election Information (For Newspaper Ad);
- EL31B – Statement of Election Results;
- EL19 – Withdrawal of Nomination;
- EL38 – Witness Statements as to Destruction of Ballots;
- Schedule A to Form 1 – Declaration of Qualification for Municipal Candidates
- Schedule B to Form 1 – Declaration of Qualification for School Board Candidates
- Schedule A to Form 7 – Declaration of Qualification for Third Party Advertisers (Individual)
- Schedule B to Form 7 – Declaration of Qualification for Third Party Advertisers (Corporation or Union)
- Daily Batch Reconciliation Form;
- List of Persons Issued Mail-In Voting Kit at a Ballot Return Station;
- Voters' List Request Form;
- Scan Batch Control Sheet; and
- Statement by Qualified Elector/Agent to Obtain Voter's Kit.

4.3 The Clerk reserves the right to use additional forms as may be necessary for the conduct of the election.

5. Form of Ballot

5.1 The form of ballot will be a "Composite Ballot" i.e. all offices on one ballot paper.

6. Voters' List

6.1 The Municipal Property Assessment Corporation (MPAC) is responsible for supplying the Township of Uxbridge with the Preliminary List of Electors (Voters' List) for the municipal election.

6.2 The Voters' List will be maintained electronically to reflect deletions, amendments and additions made by the Clerk, or designate. Voter participation in the election will also be indicated as the Return Voting Kits are received and bar codes on the Voter Declaration Forms are scanned at the Ballot Return Station.

- 6.3 On or before **September 1, 2022**, the Clerk shall have the Voters' List reproduced. The Voters' List, showing the names of all persons entitled to vote in the **October 24, 2022**, Municipal Election in the Township of Uxbridge, will be available for public inspection at the Township of Uxbridge Clerk's Department, 51 Toronto Street South, Uxbridge, during regular Department hours (8:30 a.m. to 4:30 p.m.) commencing **Thursday, September 1st, 2022**.

Extended Clerk's Department hours will be as follows:

- Saturday October 15, 2022 10:00 a.m. – 4:00 p.m.
 - Thursday October 20, 2022 4:30 p.m. – 7:00 p.m.
 - Saturday October 22, 2022 10:00 a.m. – 2:00 p.m.
 - Monday October 24, 2022 4:30 p.m. – 8:00 p.m.
- 6.4 If an individual is qualified to vote and their name has been omitted from the Voters' List or the information is incorrectly shown that person must file an Application to Amend the Voters' List (EL15). Applications for amendments to the Voters' List may be made at the following dates and times:

- Clerk's Department, 51 Toronto Street South, Uxbridge, from **Tuesday, September 6th, 2022**, until **October 21st, 2022**, during regular business hours, Monday through Friday, 8:30 a.m. to 4:30 p.m., and **October 24th, 2022** (Voting Day) from 8:30 a.m. until the close of voting at 8:00 p.m. for all Wards (1 – 5) or as outlined in the extended Township Department hours in Section 6.3;
- Uxbridge Arena & Recreation Centre, 291 Brock Street West from **Monday September 12th, 2022**, until **Thursday September 15th, 2022**, from 5:00 p.m. to 7:30 p.m.
- Uxbridge Arena & Recreation Centre, 291 Brock Street West, from **Monday September 26th, 2022**, until **Thursday September 29th, 2022**, from 5:00 p.m. to 7:30 p.m.

Individuals can also make an application to amend the Voters' List through the Township of Uxbridge Online Voter Services (OVS) Voter Registration Portal at www.uxbridge.ca/elections until October 7, 2022. These requests will be processed within 24 hours. After this time, all applications to amend the Voters' List must be made in person.

In the event of a postal disruption, applications for amendments to the Voters' List may also be filed, in person, at those times and locations indicated in section 8.8

- 6.5 Electors added to the Voters' List on or before **September 12th, 2022**, will receive their Vote by Mail Kit in the mail.
- 6.6 Electors added to the Voters' List from **September 12th, 2022**, until **October 7th, 2022**, will be mailed a Voting Kit by the Clerk, or designate, on or after **October 7th, 2022**.
- 6.7 Electors added to the Voters' List after **September 27, 2022**, until the close of voting on **October 24, 2022**, will be provided with a **Vote by Mail Kit at the time of filing their Application to Amend the Voters' List (EL15)** form. These electors will have the option of (1) immediately completing the Voter Declaration Form and Ballot in a designated 'secure area' and depositing the completed ballot envelope into a Ballot Return Box under the supervision of the Clerk or designated Election Official, (2) sending the completed Return Voting Kit in the yellow business reply envelope by regular mail on or before **October 13th, 2022**, or (3) hand-delivering the completed Return Voting Kit (in the yellow business reply envelope) at a later time, prior to 8:00 p.m. on Voting Day, **October 24th, 2022**, into a Ballot Return Box at the Ballot Return Station (Town Hall).
- 6.8 The Voters' List containing deletions, amendments, and additions, as well as a record of those persons who have participated to date, and those persons who have been issued with a Vote by Mail Kit by the municipality will be maintained by the Clerk or designated Election Official. This information may be inspected by those authorized to do so at any time during regular Department hours and on **October 24th, 2022** until 8:00 p.m.

7. Proxy Voting

- 7.1 As the Township of Uxbridge is conducting the 2022 Municipal Election using a mail-in ballot process, in accordance with Section 42(5) of the *Municipal Elections Act, S.O. 1996, as amended* and By-law Number 2021-050 there is no requirement for and no opportunity to vote by proxy.

8. Vote By Mail Procedure

- 8.1 The Municipality, in conjunction with Data Fix, will provide the Vote by Mail Kit to every person who qualifies to be an elector until the close of voting on **October 24th, 2022** at 8:00 p.m.

8.2 **The Vote By Mail Kit shall consist of:**

- Voting Instruction Sheet
- One Composite Ballot
- One Ballot Secrecy Envelope (black and white)
- One Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Such other material as the Clerk or designated Election Official determines

8.3 The Voters' List changes will be finalized with DataFix on **September 12th, 2022**, in preparation for the mail-out of Voting Kits.

8.4 The Clerk or designated Election Official, by **October 7th, 2022**, shall mail to every elector, who had qualified to be on the Voters' List by **September 12th, 2022**, a Vote By Mail Kit. The Vote By Mail Kit shall be mailed to the elector's address, as shown on the Voters' List.

8.5 The Clerk or designated Election Official, will mail a Vote By Mail Kit to every person who has been added to and is qualified to be on the Voter's List from **September 13th, 2022** to **September 27th, 2022**. Electors added to the Voters' List between **September 28th, 2022**, to **October 24th, 2022**, at 8:00 p.m. will be provided a Vote By Mail Kit at the time they are added to the List. Electors added to the Voters' List **between September 28th, 2022**, and **October 2nd, 2022**, shall be provided a Vote By Mail Kit at the time they are added to the Voters' List but must wait until October 3rd, 2022 to submit it. (Note: Depending on when the Township receives the Vote By Mail Kits, the Vote By Mail Kits may not be issued until October 3rd, 2022).

8.6 If a qualified elector does not receive his or her Vote by Mail Kit, or if the Vote by Mail Kit is lost or destroyed, or if the elector marks the ballot incorrectly, a new Vote By Mail Kit may be issued by personally requesting it at Town Hall, 51 Toronto St. South, Uxbridge listed below on or after **October 11th, 2022**:

- Saturday October 15, 2022 10:00 a.m. – 4:00 p.m.
- Thursday October 20, 2022 4:30 p.m. – 7:00 p.m.
- Saturday October 22, 2022 10:00 a.m. – 2:00 p.m.
- Monday October 24, 2022 4:30 p.m. – 8:00 p.m.

The Clerk or designated Election Official will confirm that the elector is qualified and require the elector (or agent) to complete the "Statement by Qualified Elector/Agent to Obtain a Voter's Kit" and issue a new Vote by

Mail Kit. The “Statement by Qualified Elector/Agent to Obtain a Voter’s Kit” form shall be retained for the prescribed statutory retention period.

In the case of an elector marking his/her ballot incorrectly (in their exclusive judgment) and attends with the subject ballot and desires to leave same with the Clerk, or designate, the Clerk, or designate, shall dispose of the subject ballot without review in a secure manner for shredding.

In the event of a postal disruption, Vote by Mail Kits may be issued at those times and locations indicated in section 8.8

8.7 Upon receipt of the Vote by Mail Kit, the voter shall complete the ballot, only place the ballot in the inner black and white Ballot Secrecy Envelope and **seal** the envelope. The voter shall complete the Voter Declaration Form and place it, along with the then **sealed** Ballot Secrecy Envelope, in the yellow prepaid Return Voting Envelope. If an elector requires assistance with voting, he/she shall make their mark (i.e. an “X”) on the signature line and have a witness sign in the signature line of the Voter Declaration Form. If the Voter is unable to make a mark, an oral oath or affirmation of the Voter’s eligibility may be given for which the witness will sign in the signature area of the Voter Declaration Form and state in writing the words “oral oath given”. The yellow Return Voting Envelope when mailed in Canada is prepaid.

8.8 In addition to using Canada Post mail system, a Ballot Return Station will be established for those electors wishing to deposit or have deposited their Return Voting Envelope directly to the Clerk or designated Election Official at the following times and location:

- Clerk’s Department, 51 Toronto Street South, Uxbridge, **October 4th, 2022**, until **October 21st, 2022**, during regular business hours, Monday through Friday, 8:30 a.m. to 4:30 p.m., and **October 24th, 2022** (Voting Day) from 8:30 a.m. until the close of voting at 8:00 p.m. for all Wards (1 – 5);

Extended Clerk’s Department hours will be as follows:

- Saturday October 15, 2022 10:00 a.m. – 4:00 p.m.
- Thursday October 20, 2022 4:30 p.m. – 7:00 p.m.
- Saturday October 22, 2022 10:00 a.m. – 2:00 p.m.
- Monday October 24, 2022 4:30 p.m. – 8:00 p.m.

- 8.9 The final day to deposit the Return Voting Envelope in the mail to ensure timely delivery to the Clerk or designated Election Official is **October 13th, 2022, (assuming there is no postal disruption)**. Following this date, voters are required to deposit their Return Voting Envelope at the designated Ballot Return Station, as specified within section 8.8.
- 8.10 Return Voting Envelopes deposited in the mail slot located at the front entrance of the Township of Uxbridge Municipal Office, until **October 24th, 2022**, at 8:00 p.m., will be considered as having been mailed.
- 8.11 A separate Mail-in Voting Kit will be provided to each individual elector. Any Return Voting Envelope that contains more than one Voter Declaration Form or more than one Ballot Secrecy Envelope shall be treated in the following manner:
- **Envelopes containing equal numbers of Ballot Secrecy Envelopes to Voter Declaration Forms WILL BE ACCEPTED.**
 - **Envelopes containing more Ballot Secrecy Envelopes to Voter Declaration Forms or more Voter Declaration Forms to Ballot Secrecy Envelopes WILL BE REJECTED.**
- 8.12 Each day, as yellow Return Voting Envelopes are received at the Township of Uxbridge Municipal Office, either by mail or from a Ballot Return Station, the Clerk or designated Election Official will separate the sealed Ballot Secrecy Envelopes and Voter Declaration Forms from the yellow Return Voting Envelopes. In addition, using the identifying bar code printed **only** on the Voter Declaration Form, will indicate that particular elector's participation in the electronic version of the Voters' List.
- 8.13 If, upon opening the yellow Return Voting Envelope, the Ballot Secrecy Envelope has not been sealed or in the event the Ballot Secrecy Envelope has been sliced open as a result of opening the Return Voting Envelope, the Clerk or designated Election Official may seal or tape the envelope without examining the ballot.
- 8.14 Sealed Ballot Secrecy Envelopes will be placed into corresponding ballot boxes which, when full, will be sealed and placed in a secure location under the control of the Clerk or designated Election Official. On **October 24th, 2022**, the sealed ballot boxes containing the sealed Ballot Secrecy Envelopes will be transported to the Counting Centre located in the Township of Uxbridge Municipal Office, as designated by the Clerk or designated Election Official.
- 8.15 Ballots received by the Clerk or designated Election Official after 8:00 p.m. on Voting Day **will NOT be included in the tabulated results** but will be

date-stamped with the time of receipt and retained for the duration of the prescribed statutory document retention period.

8.16 Notwithstanding the sections above, in the event of a Canada Post postal strike or any other emergency where Vote-By Mail kits cannot be delivered, Vote-By-Mail kits can be picked up at and dropped off at:

- Clerk's Department, 51 Toronto Street South, Uxbridge on or after **October 4th, 2022.**

9. Accessible Election Policies/Procedures

9.1 Pursuant to the *Municipal Elections Act, 1996*, as well as the *Ontarians with Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005*, the Clerk is authorized to establish procedures and provide appropriate measures to ensure that persons with disabilities have equal opportunity to participate in the 2022 Municipal Election. Accordingly, the 2022 Municipal Election in the Township of Uxbridge will be conducted in such a manner as to ensure that:

- Candidates and electors with disabilities have full and equal access to all election information and services; and,
- Persons with disabilities have full access to all Ballot Return Stations.

The Township of Uxbridge is compliant with all regulations of the *Accessibility for Ontarians with Disabilities Act, 2005*. All required documentation is available upon request.

An election accessibility plan regarding the identification, removal and prevention of barriers that impact electors and Candidates with disabilities must be prepared and made publicly available prior to Voting Day.

Assistance to Electors with Disabilities

9.2 Through the use of a mail-in voting system, the Township of Uxbridge is able to facilitate the opportunity for electors to cast their ballot at various locations for extended periods of time during the voting period. Should an elector choose to mark their ballot at the Township of Uxbridge Municipal Office, or simply wish to personally return their completed Voting Kit, rather than through the regular mail, the Township will endeavor to ensure that the process is accessible to those persons with a disability.

Access to Ballot Return Station

- 9.3 Town Hall is located on a major traffic route and accessible transit is available through the Durham Region Transit system. The building name is clearly visible from the road and a pedestrian crosswalk with required curb cuts is located along the frontage of the property. There are two, clearly marked, accessible parking spaces in the parking lot accessed from Toronto Street and adequate curb cuts allowing access to both front entrances to the main floor. Both entry areas are equipped with marked automatic door openers and the doors are wide enough to accommodate wheelchair or scooter traffic. The Ballot Return Station for the 2022 Municipal Election is located on the main floor with level access from both front entrances. The corridors are kept clear and floors are even and hard-surfaced with rubber-backed commercial doormats at both points of entry. Benches and chairs are available at various locations. A private, designated barrier free area with adequate lighting and a suitably low writing surface will be available should a person with a disability choose to mark their ballot while at Town Hall.

Voting Assistance

9.4 Support Persons

Persons with disabilities may be accompanied by a support person inside the Ballot Return Station who may mark the ballot for said person or read the ballot aloud. There are no prescribed oaths to be taken by support persons. In addition, the Clerk or designated Election Official can also assist a voter in marking their ballot. In this instance, prior to entering the designated area, the person with the disability and the Clerk or designated Election Official will determine the extent to which assistance is needed and the best way it may be provided. This may include marking the ballot as directed by the elector, if requested. All Election Officials are required to swear an oath of secrecy.

9.5 Service Animals

Electors requiring service animals will be permitted to have them present while in the Ballot Return Stations. They will be permitted to accompany the elector in all areas where public access is allowed.

9.6 Assistive Devices

Magnifying sheets will be made available and pads of paper and pens to assist any elector, as requested.

9.7 Alternative Formats

Election information will be made available through a range of channels and in diverse formats, including:

- Information available in large print (upon request) and on the municipal website in downloadable format; and,
- Material in plain/clear language for electors, service providers, and others who may be providing assistance.

Election information does not include the Voting Kit.

10. Rejection of Ballots

10.1 In addition to rejecting cast ballots for violations of the *Municipal Elections Act, S.O. 1996*, as amended, the following conditions will also cause a ballot to be rejected, if:

- (a) Upon opening the Yellow Return Voting Envelope, there is no Voter Declaration Form enclosed;
- (b) Upon opening the Yellow Return Voting Envelope, the enclosed Declaration Form is not signed;
- (c) Upon opening the Yellow Return Voting Envelope, there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms;
- (d) Upon opening the Yellow Return Voting Envelope, there are identifiable marks on the sealed Ballot Secrecy Envelope; and
- (e) Upon opening the sealed Ballot Secrecy Envelope, at the Ballot Counting Centre on October 24, 2022, the envelope contains more than one ballot, the ballot contains identifiable marks, or the ballot is from another municipality.

10.2 Notwithstanding Section 10.1, in the event that, upon opening the Return Voting Envelope:

- (a) A Voter Declaration Form is not visible, the Clerk or designated Election Official shall be permitted to open the Ballot Secrecy Envelope to determine the presence of a signed Voter Declaration Form. Should a signed Voter Declaration Form be contained within the Ballot Secrecy Envelope, the Clerk or designated Election Official shall retrieve the signed Voter Declaration Form and place the ballot within another Ballot Secrecy Envelope without examining it;

- (b) If there is a greater number of visible signed Voter Declaration Forms to Ballot Secrecy Envelopes, the Clerk or designated Election Official shall be permitted to open the Ballot Secrecy Envelope to determine if there is an equal number of ballots to signed Voter Declaration Forms. Should there be an equal number of ballots contained within the Ballot Secrecy Envelope to signed Voter Declaration Forms, the Clerk, or designate, shall retrieve the ballots, and without examining it, place same within another Ballot Secrecy Envelope(s);
- (c) The ballot is visible and not enclosed within the Ballot Secrecy Envelope, the Clerk or designated Election Official shall without examining it place the ballot within another Ballot Secrecy Envelope.

11. Security of Election Records

Security of the Ballot PRIOR to Voting

- 11.1 Ballots will be printed to required specifications and under the supervision of Dominion Voting Systems and DataFix. The quantity of ballots printed will be forwarded to the Clerk or designated Election Official.
- 11.2 A Voter Kit including a ballot will be mailed to each person identified on the Voters' List up to **September 12th, 2022** and a record of the number of mailed ballots will be forwarded to the Clerk or designated Election Official.
- 11.3 In addition to the ballots mailed, the Clerk or designated Election Official, will receive approximately 650 ballots for each ballot face, which will be issued to qualified electors and also used for the logic and accuracy testing of the voter scanner/tabulators.

Security of the Ballot During & After the Vote

- 11.4 Upon receiving the yellow prepaid Return Voting Envelopes, by mail or from the Ballot Return Station(s), the envelopes will be opened and, upon being verified, the sealed Ballot Secrecy Envelopes will be stored in sealed ballot boxes. At the end of each day, the number of yellow Return Voting Envelopes received throughout the day will be reconciled with the:
 - Number of electors marked as having voted on the Voters' List
 - Number of rejected ballots
 - Number of Ballot Secrecy Envelopes deposited into the ballot box
 - Number of Voter Declaration Forms

The reconciliation results shall be recorded in the Daily Batch Reconciliation Form.

- 11.5 As each ballot box is filled, and at the end of each day, the Clerk or designated Election Official shall affix a seal to the ballot boxes, initial the seal and place the sealed ballot boxes in a secure location under the control of the Clerk or designate. Each morning, the Clerk or designated Election Official shall retrieve any sealed, but not full ballot boxes, inspect the seals to ensure they are intact, and, in the presence of another staff member, break the seals located over the slots for access during the day.
- 11.6 At 1:30 p.m. on **October 24th, 2022** (Voting Day), the sealed ballot boxes will be transported by the Clerk or designated Election Official from the secure storage location to the Ballot Counting Centre. All ballot boxes shall be maintained at the Voting Day Ballot Return Stations, during the specified hours. At various intervals and, at the close of voting at 8:00 p.m., the ballot boxes maintained at the Voting Day Ballot Return Station(s) shall be sealed and transported to the Ballot Counting Centre. See section 13.1.
- 11.7 When the count is complete, the ballots will be placed in ballot boxes which, when full, will be sealed and initialed by the Clerk or designated Election Official, prior to transferring to a secure storage location under the control of the Clerk or designated Election Official for the statutory retention period.

Disposition of Election Records

- 11.8 As soon as possible after **February 22nd, 2023**, the Clerk or designate, shall effect the destruction of the ballots and may also destroy any other documents and records related to the 2022 Municipal Election, pursuant to Section 88 of the Act.
- 11.9 Notwithstanding section 11.8 above,
- If a recount has been initiated, the records must be retained until the disposition of the recount.
 - Records shall not be destroyed if a court orders that they be retained.
 - Nomination papers and Financial Statements filed by any Candidate shall be retained until the members of the Council or local board elected in the next regular election take Office (i.e. after November 15, 2026).

12. Ballot Counting Centre – General

- 12.1 The Council Chambers of the Uxbridge Town Hall will be established as the Ballot Counting Centre.
- 12.2 The doors to Uxbridge Town Hall will be locked at 8:00 p.m. on **October 24th, 2022**. Only the Clerk, Deputy Returning Officers, designated Election Officials, certified Candidates and authorized Scrutineers will be permitted to remain in the Ballot Counting Centre after 8:00 p.m., and only designated Election Officials will be allowed to enter thereafter. Candidates and Scrutineers leaving the Uxbridge Town Hall after 8:00 p.m. **will not be permitted to return.**
- 12.3 Cell phones and/or other electronic equipment, inclusive of audio and photographic recording equipment, **will not be permitted** at the Ballot Return Stations or in the Ballot Counting Centre other than for designated Election Officials. Scrutineers and Candidates will not interfere with the vote count in any manner. Should they do so, they will be required to leave the facility when so requested by a designated Election Official.
- 12.4 No campaign material will be allowed within or upon the property occupied by the Uxbridge Town Hall.
- 12.5 The procedures for the proper handling of ballots will be enforced to ensure that each ballot is tracked, stored, and subjected to quality control and that:
- Each ballot is scanned only once;
 - Each scan can be successfully processed for intent; and,
 - Spoiled ballots are removed and managed before entering the database.
- 12.6 The Ballot Counting Centre shall have the following stations:

Station	Details
Ballot Secrecy Envelope Opening Station (Scribe's Room)	An electronic letter opener is used to open the Ballot Secrecy Envelopes.
Ballot Extraction Station	Election Officials manually extract the ballot from the Secrecy Envelope, unfold the ballot, and place in a pile for delivery to the Ballot Scanning Station.
Defective Ballot Processing Station	Ballots that are unable to be scanned due to a technical defect are duplicated at this Station.
Ballot Scanning Station	The ballots are scanned in batches and

	the image processor reads each image to determine voter intent.
Tabulation Station	Batches of scanned ballots are electronically transferred to the Data Acquisition System to be audited and then tabulated for results.
Ballot Transfer Station	Ballots scanned at the Ballot Scanning Station are placed in ballot boxes.
Ballot Storage Station	As each ballot box is filled at the Ballot Transfer Station, it is sealed and transferred to a secure storage facility in accordance with the Act.

13. Ballot Counting Centre – Operational Procedures

- 13.1 At 1:30 p.m. on Voting Day, the sealed ballot boxes will be transported by the Clerk or designated Election Official to the Ballot Counting Centre. At that time, Election Officials will be sequestered in order to commence the ballot processing procedures identified in subsections 13.2 through to and including 13.17, below.

A ballot box (es) will be made available in order to receive Vote By Mail Kits at the Ballot Return Station until 8:00 p.m. At various intervals, and at the close of voting at 8:00 p.m. the ballot box(es) situated at the Ballot Return Stations will be sealed and delivered immediately to the Ballot Secrecy Envelope Opening Station (Scribes Room)

- 13.2 The following steps are repeated until all ballots cast have been processed.
- 13.3 The sealed ballot box(es) will be unsealed and the Ballot Secrecy Envelopes will be opened through the use of an electronic letter opener. The opened envelopes are set aside in bundles to be picked up by the Runner.
- 13.4 The Runner will deliver the opened Ballot Secrecy Envelopes, in bundles of approximately 40 to each Election Official at the Ballot Extraction Station in the Ballot Counting Centre.
- 13.5 Each Election Official, upon receipt of the opened Ballot Secrecy Envelopes, will manually extract the ballot from each Secrecy Envelope, unfold and flatten the ballot, and uniformly place the ballot, face down, in a pile for pick-up by the Runner. The empty Secrecy Envelope will be set aside in a separate pile.

- 13.6 In the event a ballot is accidentally slit by the envelope opener or in the event that a ballot extracted from a Ballot Secrecy Envelope is damaged in such a manner that it obviously cannot be scanned (eg. torn, ripped, crumpled) the Election Official will re-insert the ballot back into the envelope and set it aside for the Runner to deliver to the Defective Ballot Processing Station.
- 13.7 The Runner will regularly attend each Election Official at the Ballot Extraction Station to collect the flattened ballots that have been secured in bundles of 40, deliver them to the Ballot Scanning Station, and will also collect any damaged ballots and deliver them to the Defective Ballot Processing Station.

Scanning Procedures

- 13.8 After 1:30 p.m. on Election Day upon receiving a batch of 40 ballots to be scanned, the Election Official at the Ballot Scanning Station will, using a new Scan Batch Control Sheet, record the batch number as automatically generated by the software system.
- 13.9 The Election Official will scan the batch of ballots and the image processor will read each image to determine voter intent. If there are no misreads, or ambiguous marks detected the tabulator counter will be compared to the processor counter to ensure that each scanned image has been read correctly. As well, the processor will report the count of the first ballot scanned and this information is verified against the first ballot in that batch to ensure accurate operation of the processor. The details of the scan for the batch are recorded by the Election Official on the Scan Batch Control Sheet.
- 13.10 In the case of a technically damaged or defective ballot, the image processor will report a misread, cease scanning, and report the location of the ballot for removal. The damaged/defective ballot will be isolated for action by the Clerk, or designated Election Official (either a second attempt at scanning, or delivered to the Defective Ballot Processing Station by the Runner). In the case of a ballot that is technically defective Dominion Voting Systems has calibrated the tabulator to identify marks that are under the threshold value but within a defined range of pixels as an ambiguous mark. The Clerk, or designated Election Official, shall verify the suitability of this calibration through the Logic and Accuracy Testing. The batch will be rejected and completely rescanned without the offending ballot (s).
- 13.11 Once the batch is successfully scanned and the Election Official has completed the Scan Batch Control Sheet, the Election Official shall place the batch within an envelope labeled "Tabulator # ____" "Batch # ____" with the Scan Batch Control Sheet and place same in the next available ballot

box at the Ballot Transfer Station. The Batch will be stored without paperclips or elastics. The copy of the Scan Batch Control Sheet will be placed in the folder provided.

- 13.12 When a ballot is reported as a misread, or ambiguous mark by the image processor and it is determined by the Clerk or Election Official that the ballot was rejected due to a technical defect, that ballot will be delivered to the Defective Ballot Processing Station by the Runner.
- 13.13 Upon receipt of the technically defective ballot, the Election Official will, using a new unused ballot, prepare a Replacement Ballot by marking the new ballot with the same marks contained in the designated voting spaces on the technically defective ballot, and the Replacement Ballot will be clearly labeled “replacement” and given a serial number which will also be recorded on the defective ballot. (i.e. Replacement #1 / Defective #1, Replacement #2 / Defective #2, etc.). The annotations on the Replacement Ballot must be recorded only on the bottom edge of the back of the ballot.
- 13.14 The replacement ballot will be delivered by the Runner to the Ballot Scanning Station to be included in a batch for scanning.
- 13.15 The defective ballot will be placed in a “Defective Ballots” envelope.
- 13.16 If a ballot is rejected by the vote scanner/tabulator because it is not a Township of Uxbridge ballot, the ballot will not be scanned and will be returned to the Ballot Extraction Station for placement in the ballot box labelled “Rejected Ballots”.
- 13.17 The Runner will regularly collect the empty Ballot Secrecy Envelopes and discard them into the designated waste receptacles.

Tabulation Procedures

- 13.18 As soon as possible after 8:00 p.m., each scanned ballot will be electronically tabulated at the batch level, validated and published by the Clerk or designated Election Official. By publishing the batch, the batch level results are then added to the cumulative unofficial results.
- 13.19 The unofficial results will be published on the municipality’s website: www.uxbridge.ca.

14. Alternative Voting Equipment

Scanner/Tabulating Equipment

- 14.1 Dominion Voting Systems will supply the scanning/tabulating hardware required to scan and tabulate the ballots for the 2022 Municipal Election. Two (2) centralized Optical Scan Ballot Tabulators will be used to scan the ballots and a PC attached to each scanner/tabulator will accumulate the data. In the event that one of the PC's affixed to the scanner fails, the remaining scanner and PC shall be used exclusively to scan the ballots.
- 14.2 Dominion Voting Systems will supply the RTR software package required to design ballots, scan ballots, tabulate results, audit ballot tabulation, display results and produce Election Results reports. This software system will reside on a PC located in a secure location at Town Hall.

Programming of the Hardware & Software

- 14.3 The scanner/tabulator hardware and software will be programmed so that:
- a printed record of the number of votes cast for each Candidate will be provided;
 - a ballot that is misread or has been marked in such a way that it cannot be properly processed by the scanner/tabulator, will be returned to the Election Official with the message "Misread Ballot";
 - a ballot that contains a mark under the threshold value but within a defined range of pixels in the designated area beside the Candidate's name will not be processed by the scanner/tabulator, will be returned to the Election Official with the message "Ambiguous Mark"
 - the scanner/tabulator will stop when it encounters a damaged or defective ballot or a ballot with an ambiguous mark;
 - an over-voted race (i.e. where more votes are marked on a ballot than are allowed) will not be counted. The remaining races that have been properly voted on that same composite ballot will be counted;
 - an under-voted race (i.e. where fewer votes are marked on the ballot than are allowed) will be counted;
 - a blank ballot (i.e. no votes indicated in any race on the composite ballot) will be counted as a declined ballot; and,
 - an appropriate threshold value will constitute a valid vote based on calibration.

Testing of Hardware & Software

- 14.4 Prior to Voting Day, the Clerk, in the presence of an Election Official, will have the scanner/tabulators tested to ensure that they will accurately

count the votes for all Candidates that are marked with a pen/pencil and with a valid mark in the designated area. This test shall be known as the Logic and Accuracy Test.

- 14.5 Adequate safeguards will be taken to ensure that the system, or any part of it, that is used for scanning, processing, and tabulating votes is isolated from all other applications or programs and that no remote devices are capable of gaining access to the system.
- 14.6 After programming the software and scanner/tabulators, the testing will be conducted as follows:
- scan and tabulate a pre-audited group of ballots marked with a variety of marking tools, including ballots that fall into each of the following categories:
 - ballots on which are recorded a pre-determined number of votes for each Candidate;
 - ballots that have over-voted races;
 - ballots that are unreadable;
 - ballots that contain an ambiguous mark;
 - ballots that have no votes recorded.
 - compare the output of the tabulation with the pre-audited results.
- 14.7 If the Clerk, or designate, detects any error in the test, the cause of the error will be ascertained and corrected and the test will be repeated until an errorless count is made and certified by the Clerk, or designate.
- 14.8 The Clerk will, at the completion of the test, retain the programs, test materials and ballots in a sealed envelope with the remaining election materials and records in accordance with the *Municipal Election Act, S.O. 1996*, as amended.

Re-Testing of Election Hardware & Software

- 14.9 If the scanner/tabulator fails, the batch that is currently being scanned will be set aside until such time as the scanner/tabulator is operational. In the event that a scanner/tabulator malfunctions during the counting process, it may be necessary for an adjustment on the scanner/tabulator. Paper jams, multi-feeds, and other minor interruptions will not be considered malfunctions and will not require that the system be re-tested.
- 14.10 Upon becoming operational again, the following procedure is to be followed to verify that the problem has been rectified on the repaired scanner/tabulator and that the equipment is scanning and reading correctly:

- a) The Clerk will have prepared, prior to the commencement of the scanning, a pre-audited group of ballots similar to the pre-audited group of ballots as provided in Section 14.6 above.
- b) The Clerk, or designate, will review the digital image of each ballot and verify that the scanner/tabulator is reading the ballots properly.
- c) The test batch is then scanned as a test to verify that the system is scanning correctly. This process will be done using a replica of the database that will reside on a separate computer which is not connected to the actual election database, so that the results of the testing are not in any way combined with the actual election results.
- d) If the results indicate that the scanner is now performing correctly, the test results are removed from the replica database and the test ballots are sealed in an envelope and labeled as “test deck ballots” and the time of the test.
- e) The scanner/tabulator will now be ready to resume production.

Auditing and Transparency

14.11 Dominion Voting’s patented system stores a complete image of every ballot processed, together with an audit trail for that ballot which is visually affixed to the image. This trail shows how the scanner/tabulator interpreted the ballot and, by viewing this image, it can be easily verified that the tabulator has correctly interpreted the voter marks on the ballot. This ballot audit trail image can be used as:

- a method to test machine integrity prior to the election; and
- a method of obtaining confidence that the equipment is functioning properly.

15. Scrutineers & Candidates

15.1 Candidates may appoint scrutineers in writing, on the designated form, to represent them.

15.2 Rights of Scrutineers and Candidates Automated Vote Counting Equipment and Alternative Voting Methods

With the Township’s utilization of alternate voting processes, being Vote by Mail and Automated Vote Scanning and Tabulation, the procedures with respect to the scrutinizing of the election process are impacted. Candidates and their Scrutineers are advised to be aware of the

opportunities for scrutinizing the election established by the Township's Clerk, pursuant to Section 42 of the Act.

15.3 Rules of Conduct for Scrutineers and Candidates:

- (1) Election Stations: Ballot Return Stations and the Ballot Counting Centre
- (2) The Municipal Clerk, or designated Election Official, is responsible for the conduct of the Ballot Return Stations and the Ballot Counting Centre, and **no Candidate or Scrutineer has any right to interfere** with the Municipal Clerk, or designate, in the discharge of his/her duties.
- (3) Prior to entering any of the Election Stations, as listed in (1) above, every person appointed as a Scrutineer shall produce and show his/her Appointment of Scrutineer form to the Municipal Clerk or designate and take the Oral Oath of Secrecy.
- (4) Upon being approved to enter any of the Election Stations, as listed in (1) above, every Candidate and Scrutineer shall, at all times while in any of the Election Stations, wear the assigned Identification Card in such a manner that it can be easily seen by the Election Officials.
- (5) Only one Scrutineer for each certified Candidate may be present at a Ballot Counting Centre. If the Candidate or another of his/her Scrutineers enters the Ballot Return Station, the other Scrutineer shall leave.
- (6) Scrutineers/Candidates wishing to observe the count, **must** be at the Ballot Counting Centre prior to 8:00 p.m. on Voting Day. No one other than Election Officials will be admitted to the Centre after 8:00 p.m.
- (7) Scrutineers are reminded to provide a clipboard for their own use, as the Candidates and Scrutineers shall be required to sit in the designated areas.
- (8) Scrutineers must not attempt to directly or indirectly influence how an elector marks their ballot.
- (9) Scrutineers shall not display any campaign material or literature anywhere within the Elections Stations, as listed in (1) above or the boundaries of the property where the Election is located and includes the parking lot. Candidates, supporters, and scrutineers are **not** permitted to wear campaign material, handout campaign material, or park a vehicle displaying campaign material in the parking lot of the Ballot Counting Centre. Anyone breaking these rules will be asked to remove the campaign material immediately.

- (10) Scrutineers and/or Candidates shall not, at any time, apply their signature or seal to any boxes used for the secure storage of sealed Ballot Secrecy Envelopes, completed Voter Declaration Forms, and Rejected Voter Kits.
- (11) Scrutineers and/or Candidates shall **not** touch any election equipment, materials and or documents, including but not limited to: scanning/tabulator equipment, computers, envelope openers, ballots, Ballot Secrecy Envelopes, Voter Declaration Forms, and Ballot Return Envelopes. They are simply there to observe.
- (12) The total of votes cast for each Candidate as counted by the scanning/tabulating equipment and as accepted by the Clerk, or designate, is final and the **ballots will not be recounted**. The Municipal Clerk or designate, shall provide to a Candidate or his/her Scrutineer, if requested, a report of the unofficial election results.
- (13) Cell phones and/or other electronic communication or recording devices are **not** permitted in any Election Stations, as listed in (1) above.

16. Announcement of Results

- 16.1 Unofficial results of the counting will be posted on the municipality's website: www.uxbridge.ca.
- 16.2 Once the cumulative results have been certified by the Clerk, or designated Election Official, they will become the official results.
- 16.3 The official results will be posted at Uxbridge Town Hall as soon as possible after Voting Day.

17. Recounts

- 17.1 In the event of a recount of the ballots cast for an office(s), pursuant to sections 56, 57, or 58 of the Act, the recount shall be conducted in the same manner as the original count, unless ordered otherwise by an order of the Superior Court of Justice.
- 17.2 Pursuant to section 42(4), paragraph 3 of the Act, those persons entitled to attend a recount as identified in section 61(5) of the Act are **NOT** entitled to examine each ballot as the votes are being counted by the Clerk, or designate.

18. Emergencies

- 18.1 In the event of an emergency situation or any circumstance that will undermine the integrity of the election, the Clerk has the discretion to

declare an emergency and make any arrangements deemed necessary for the proper conduct of the election.

19. Amendment to the Procedures & Rules

19.1 The Clerk, at any time, has the right to amend this document to facilitate the vote, count, tabulation of the votes, and security or any other matter at the sole discretion of the Clerk.

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