2018 Municipal Election

PROCEDURES FOR THE USE OF VOTE TABULATORS

T O W N   O F

HALTON HILLS
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Note: These procedures are subject to change upon the authority of the Clerk

PROCEDURES
FOR USE OF VOTE TABULATORS

DEFINITIONS

1)   In this procedure,

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

Audio Vote Tabulator means an accessible vote tabulator to serve voters who cannot negotiate a paper Ballot.

Auxiliary Compartment means the front compartment of the Ballot Box in the tabulator stand where electors' Ballots are temporarily stored in the event a Vote Tabulator fails to operate.

Ballot means the paper Ballot that an Election Official provides a voter depending upon a voter's school support entitlement; such Ballot shall be a composite Ballot including all offices for which the voter is entitled to vote.

Clerk means the Town Clerk of the Town of Halton Hills or their delegate.

Declined Ballot means a ballot that is returned by the voter to the deputy returning officer indicating that they are declining to vote.

Election Official means a person designated by the Clerk to perform certain Election functions. Election Officials may be referred to as Supervisor Deputy Returning Officers, Deputy Returning Officers and Assistant Deputy Returning Officers at the voting location.

Mark means any mark made in the designated voting space.

Memory Card means a cartridge that is a removable memory where all tabulated votes are stored.

Reduced Hour Voting Locations means reduced voting hours with respect to voting locations that are only for the use of specified institutions or retirement homes established by the Clerk.

Rejected Ballot means any ballot that is defective or incorrectly marked and will not or cannot be fed through the vote tabulator.

Secrecy Folder means a cover in which a Ballot can be placed so as to conceal the names of the Candidates and the marks upon the face of the Ballot and so as to expose the verification initials of the Election Official.

Vote Tabulator means an apparatus that optically scans a specified area on the Ballots to read the votes and tabulate the results.

Voting Booth means the screened area provided for the privacy of the voter to fill out the Ballot.
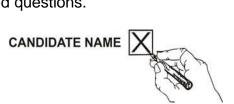
APPLICATION OF PROCEDURE

2) a) This Procedure applies to an Election conducted by the Clerk of the Town of Halton Hills. By-law No. 2017-0020, passed under the authority of Section 42(1) of the Act, authorizes the use of Vote Tabulators.

b) Where this Procedure for use of Vote Tabulators does not provide for any matter, the matter shall be addressed in accordance with the principles of the Act. These principles are generally recognized as being:

   i. the secrecy and confidentiality of the voting process is paramount;
   ii. the Election shall be fair and non-biased;
   iii. the Election shall be accessible to the voters;
   iv. the integrity of the process shall be maintained throughout the Election;
   v. there shall be certainty that the results of the Election reflect the votes cast; and,
   vi. voters and candidates shall be treated fairly and consistently.

ELECTION OFFICIALS

3) The Clerk shall appoint Election Officials for the purposes of implementing this Procedure for use of Vote Tabulators and may designate their titles and duties. Such appointments shall be in writing. Upon appointment, all Election Officials shall be required to take an oath of office in accordance with the general principles of the Act.

BALLOTS

4) a) A voting space being a box ( ) designated for the marking of the Ballot shall appear on the Ballot to the right of each candidate's name.

b) Subsection (a) applies with necessary modifications to Ballots for by-laws and questions.

CANDIDATE NAME

c)   Composite Ballots shall be used in the 2018 Halton Hills Municipal Election which shall include all eligible offices distinguished by school support type. Five Ballot types per ward shall be utilized consisting of English/Public, French/Public, English/Separate, French/Separate and Non-Resident. The number of different types of Ballots may be reduced if there is an acclamation for a school board.

VOTE TABULATORS

5)   a)   The Town shall utilize Vote Tabulators from Dominion Voting Systems Corp.

        b)   All regular and advance voting locations shall be provided with a Vote Tabulator to process Ballots.

        c)   To ensure accessible voting, Audio Vote Tabulators will be provided at advance voting locations.

        d)   The Clerk may provide an Election Official with "trouble-shooting" tips relating to the operation of Vote Tabulators.

PROGRAMMING OF VOTE TABULATORS

6)   a)   The Vote Tabulator shall be programmed so that a printed record can be obtained of the number of votes cast for each Candidate.

        b)   The Vote Tabulator shall be programmed so that the following Ballots are returned to the Election Official as described:

        i.   A Ballot where more than the required voting space(s) are marked for each office, as determined by a Vote Tabulator, with the message:

"You have over voted for an office"
                        1 - Return Ballot
                        2 – Accept Ballot

        ii.   When the Vote Tabulator cannot read the marks in the appropriate voting spaces on the ballot the following message will appear:

"Ambiguous mark detected – please correct and re-feed Ballot"

                The Vote Tabulator will return the Ballot.

iii. When the Vote Tabulator cannot read the Ballot due to markings made on the Ballot other than in the appropriate voting spaces <u>or</u> where an incorrect Ballot for the voting subdivision was issued, the following message will appear:

"Defective Ballot Scan – please correct and re-feed Ballot"

The Vote Tabulator will return the Ballot.

iv. When an Election Official has not placed their initials in the top right corner of the Ballot, the following message will appear:

"DRO box not signed. Please correct and re-feed Ballot"

The Vote Tabulator will return the Ballot.

TESTING OF VOTE TABULATORS

7) a) Prior to any voting day for the 2018 Halton Hills Municipal Election, the Clerk or designate shall test the Vote Tabulators to ensure that they will accurately count the votes cast for all candidates.

b) When testing the Vote Tabulator, adequate safeguards shall be taken to ensure that the system or any part of it, which is used for processing and tabulating votes is isolated from all other applications or programs and that no remote devices are capable of gaining access to the Vote Tabulator.

8) a) The test shall be conducted by:

i. a) loading the memory cards into the Vote Tabulators designated for each voting subdivision; and

b) producing a zero tape to confirm that no votes are stored in the Vote Tabulator memory card;

ii. tabulating a pre-audited group of Ballots including Ballots that fall into each of the categories of Ballots described in Section 6 and Ballots on which are recorded a predetermined number of valid votes for each candidate:

iii. comparing the output of the tabulation against the pre-audited results; and,

iv. re-setting all Vote Tabulators to demonstrate they are zero by printing a zero tape.

b) If the Clerk detects any error in the test, the cause of the error shall be ascertained and corrected and the test repeated until an errorless test is achieved and certified by the Clerk.

c) The Clerk shall, at the conclusion of the test, seal the memory card in the Vote Tabulator and retain any programs, test materials and documentation in the same manner as is provided in the Act for the keeping of Election records.

d) The Clerk shall retain and may have access to the pre-audited group of Ballots referred to above, the result tapes that were produced during the test and all other materials used in the programming of the Vote Tabulators.

CANDIDATES/SCRUTINEERS

9) a) Candidates may appoint scrutineers in writing using the form provided by the Clerk, to represent them at the voting location.

b) Only one representative of the candidate (either the candidate or his/her appointed scrutineer) may be present in any one voting subdivision at one time.

c) Only one representative of the candidate (either the candidate or his/her appointed scrutineer) may be in a voting location for each Ballot Box/Vote Tabulator in use at the voting location at one time.

d) Scrutineers must show their written appointment to the Election Official(s) upon entering a voting location. The Election Official will issue the Scrutineer a name tag that says Scrutineer on it to be worn while the scrutineer is in the voting location.

e) To protect the secrecy of the vote, candidates and scrutineers will not be permitted to examine the marked Ballots or to object to Ballots or the counting of votes on a Ballot as the Ballots are being fed into the Vote Tabulator by the Election Official or to interfere in any way with the administration of voting procedures at the voting location.

f) Candidates/scrutineers shall not be allowed to enter the voting location after the close of voting.

PROCEDURE AT THE VOTING LOCATION

Vote Tabulator and Ballot Box Set-up

10)
    a) Once the Vote Tabulator is ready, prepare the Ballot Box and announce to all present in the voting location "I am sealing the Ballot Box" and allow anyone who is present to look into the Ballot Box to see that it is empty.

    b) Complete and seal the Ballot Box by placing the "Ballot Box Seal During Voting Hours" seal on the Ballot Box by following the instructions on the seal. Allow any candidate or scrutineer who is witnessing the process to initial the "Ballot Box Seal During Voting Hours".

    c) Place the Vote Tabulator on the Ballot Box.

    d) The Election Official responsible for the Vote Tabulator shall, in the presence of other Election staff and all candidates/scrutineers present, cause the Vote Tabulator to print a copy of all totals on the memory card one hour or less before the opening of the voting location, confirming zero totals.

    e) If the totals are zero for all candidates the Election Official shall post the first zero tape on a wall in the voting location and print a second (duplicate) zero tape. The Election Official shall ensure that the second zero printout remains affixed to the Vote Tabulator until the results are printed after the close of voting.

    f) If the totals are not zero for all candidates, the Election Official shall immediately notify the Clerk and shall conduct the vote using the back-up compartment of the Ballot Box (auxiliary compartment) until the Vote Tabulator is made operational or the Clerk provides a back-up Vote Tabulator to the voting location.

Issuing and Marking the Ballot

11)

    a) The Clerk will appoint Election Official(s) at each voting location who shall ensure that the appropriate Ballot is issued to each voter. Prior to the Election Official's issuance of a Ballot, the Election Official will require the elector to provide proof of the elector's identity and qualifying address as prescribed by the Regulations to the Act.

b) If an elector is unable to provide such proof, the elector will be required to take the Oral Oath of Qualification before being issued a Ballot. If the elector refuses to take the Oath, the elector will be refused a Ballot.

c) The Election Official shall:

   i.   initial each Ballot and select the ward before the Ballot is delivered to the eligible voter;

   ii.   insert the Ballot in the Secrecy Folder and hand it to the voter;

   iii. direct the voter to the Voting Booth and advise the voter to proceed to the Election Official responsible for the Vote Tabulator upon the completion of marking the Ballot.

d) Upon receiving the Ballot, the voter shall:

   i.   proceed to the Voting Booth;

   ii.   using the special Ballot marking pen provided in the Voting Booth, vote by marking the area provided to the right of the candidate's name for whom the voter wishes to vote.

e) After marking the Ballot in the Voting Booth, the voter shall:

   i.   insert the Ballot into the Secrecy Folder with the Election Official's initials showing;

   ii.   leave the Voting Booth without delay; and,

   iii. deliver the Secrecy Folder containing the Ballot to the Election Official responsible for the Vote Tabulator.

Processing the Ballot

f) The Election Official responsible for the Vote Tabulator shall:

   i.   ensure that all the other voters are standing away from the Vote Tabulator to ensure that each voter may be dealt with confidentially and preserve the secrecy of the proceedings, particularly when handing the voter's Ballot or when discussing problems with a voter's Ballot;

ii.   in the presence of the voter and without removing the Ballot from the Secrecy Folder, verify the initials of the Election Official issuing the Ballot; and

iii.   in full view of the voter, insert the Secrecy Folder containing the Ballot, with the initials of the Election Official face down, into the feed area of the Vote Tabulator until the Vote Tabulator draws the Ballot from the Secrecy Folder; or

iv.   if a Vote Tabulator fails to operate:

     a.   open the auxiliary slot and insert the Ballot from the Secrecy Folder, with the initials of the election official face down, directly into the auxiliary compartment of the Ballot Box in full view of the elector; and

     b.   at the close of the voting, when the Vote Tabulator is operational or a new Vote Tabulator is provided, in the presence of the Election Official responsible and any candidate(s) or scrutineer(s) present, insert the Ballot into the feed area of the Vote Tabulator.

g)   The Vote Tabulator, as programmed and verified in accordance with Sections 6, 7 and 8, will not accept and will return to the Election Official responsible for the Vote Tabulator the following Ballots:

i.   any Ballot which reads as blank indicating that no marks have been made in the space designated for the marking of the Ballot;

ii.   any over-voted Ballot where more votes are cast than are permitted for any office contained on the Ballot;

iii.   any Ballot which is damaged or defective; or

iv.   any Ballot which does not contain the Election Official initials.

h)   Where a Ballot described in Section 11 g) i or ii, is returned by the Vote Tabulator and the voter is present, the Election Official responsible shall advise the voter of the reason the Ballot would not be accepted by the Vote Tabulator and provide the voter with the options on the tabulator to either accept or return the ballot. If the voter chooses to have the ballot returned in the case of an over-voted ballot the Election official shall bring the voter back to the issuing Election Official who shall mark the Ballot "rejected", place it in the appropriate envelope, and deliver a new Ballot to the voter with instructions as to the proper procedures to properly mark the Ballot.

Alternatively, as it relates to the Ballot described in Section 11 g) i, the Election Official may direct the voter to a voting booth to complete the marking of the Ballot in accordance with Section 11.

i)   If a Ballot described in Section 11 g) iii, is returned by the Vote Tabulator and the voter is present, the Election Official responsible for the Vote Tabulator shall explain to the voter that the Ballot is defective. The Election Official shall direct the voter to return the Ballot to the Ballot issuing Election Official who shall mark the Ballot "rejected", place it in the appropriate envelope, and deliver a new Ballot to the voter to proceed in accordance with Section 11.

j)   If a Ballot described in Section 11 g) iv, is returned by the Vote Tabulator and the voter is present, where there are no Election Official initials in the top right corner of the Ballot, the Election Official responsible for the Vote Tabulator shall take all reasonable steps to determine which Election Official issued the Ballot and have the appropriate initials placed on the Ballot. The Ballot shall then be re-inserted into the Vote Tabulator.

k)   i.   If a Ballot described in Section 11 g) i or ii, is returned by the Vote Tabulator and the voter is present and declines to accept another Ballot and wants the Ballot processed without making changes, the Election Official responsible for the Vote Tabulator shall, without showing the face of the Ballot to any individuals present, insert the Ballot into the feed area of the Vote Tabulator until the Vote Tabulator draws the Ballot from the Secrecy Folder, and enables the Vote Tabulator to accept the Ballot. The Vote Tabulator will not record votes in "not voted" or "over-voted" offices but will record votes for offices that have been correctly marked. Once the Ballot has been accepted by the Vote Tabulator, the voter may not elect to receive a new Ballot.

        ii.   If a Ballot described in Section 11 g) iii, is returned by the Vote Tabulator and the voter is present and declines to accept another Ballot, the voter shall be informed that the Ballot will be marked "rejected" and placed in the appropriate envelope. The Vote Tabulator will not accept damaged or defective Ballots. The Election Official responsible shall mark the Ballot "rejected" and place it in the appropriate envelope.

iii. If a Ballot described in Section 11 g) i, ii, iii, or iv, is returned by the Vote Tabulator and the voter is not present, the Election Official shall,

    a. where there are no marks in any of the designated voting spaces for each office insert the Ballot into the feed area of the Vote Tabulator until the Vote Tabulator draws the Ballot from the Secrecy Folder to have the Ballot accepted as intended by the voter.

    b. where more designated voting spaces have been marked for an office, insert the Ballot into the feed area of the Vote Tabulator until the Vote Tabulator draws the Ballot from the Secrecy Folder to have the Ballot accepted as intended by the voter.

    c. where there are marks in the appropriate voting spaces but tabulator responds as defective or ambiguous marks on the ballot:

        i. mark the Ballot "rejected" and issue a replacement Ballot, in presence of an Election Official and any candidates(s) or scrutineer(s) present by marking a new Ballot with the marks contained in the specified voting spaces on the original Ballot.

        ii. substitute the replacement Ballot for the original rejected Ballot and insert the replacement Ballot into the feed area of the vote tabulator, and,

        iii. place the rejected Ballot in the appropriate envelope.

    d. where there are no Election Official initials in the top right corner of the Ballot, the Election Official responsible for the Vote Tabulator shall take all reasonable steps to determine which Election Official issued the Ballot and have the appropriate initials placed on the Ballot. The Ballot shall then be re-inserted into the Vote Tabulator.

JAMMED BALLOTS

12) If the Ballot jams in the Vote Tabulator, it has not been counted. The Election Official shall advise the voter that the Ballot has not been counted and is jammed in the Vote Tabulator and to remain until the Ballot has been processed. The Election Official shall then take the following steps:

a) Slide the Ballot Box out two or three inches from the back of the Vote Tabulator;
b) Remove the Ballot from the machine and insert the Ballot into the Secrecy Folder;
c) Return the Vote Tabulator to its original position, and
d) Re-insert the Ballot into the Vote Tabulator.

If the Vote Tabulator is still rejecting the Ballot, the Election Official shall place the Ballot in the Secrecy Folder and instruct the voter to return the rejected Ballot to the Election Official who issued the Ballot. The Election Official who issued the rejected Ballot shall treat the ballot as a rejected Ballot and the voter shall be issued a new Ballot.

If the Vote Tabulator continues to reject Ballots, the Election Official shall call the Clerk immediately.

If the Vote Tabulators Become Inoperable

13) If the Vote Tabulator becomes inoperable for any reason during the day (i.e. power failure) the machine will power down and will not accept Ballots, unless the Vote Tabulator is equipped with a battery backup.

a) If this happens, the Election Official shall:

i. notify all Election Officials and candidates/scrutineers immediately; and

ii. open the auxiliary slot at the front of the Ballot Box and continue to accept Ballots by placing them in the auxiliary slot.

b) As soon as power is restored, or the Vote Tabulator is repaired, the lights on the operator display will again be illuminated. The Vote Tabulator will be ready to accept Ballots and normal processing of the Ballots may continue.

c) The Ballots in the auxiliary compartment shall be removed from the compartment when the voting location has closed at 8:00 p.m. and shall be inserted into the Vote Tabulator before the Vote Tabulator is programmed to tally the votes.

PROCEDURE AT REDUCED HOUR VOTING LOCATIONS (Roving Polls)

Ballot Box Set-Up

14) a)   The Election Official responsible shall, in the presence of other Election staff and all candidates/scrutineers present, shall announce to all present in the voting location "I am sealing the Ballot Box" and allow anyone who is present to look into the Ballot Box to see that it is empty.

b)   Complete and seal the Ballot Box by placing the "Ballot Box Seal" on the Ballot Box as per the instructions on the seal. Allow any candidate or scrutineer who is witnessing the process to initial the "Ballot Box Seal".

c)   Place the Ballot Box on the table beside the Privacy Screen.

Issuing and Marking of Ballot

d)   The clerk will appoint Election Official(s) to be responsible for the Reduced Hour Voting Locations (Roving Polls), and who shall ensure that the appropriate Ballot is issued to each voter. Prior to the election Official's issuance of a Ballot, the Election Official will require the elector to provide proof of the elector's identity and qualifying address as prescribed by the Regulations to the Act.

e)   If an elector is unable to provide such proof, the elector will be required to take the Oral Oath of Qualification before being issued a Ballot. If the elector refuses to take the Oath, the elector will be refused a Ballot.

f) The Election Official shall:

i.   initial each Ballot and select the appropriate ballot before the Ballot is delivered to the eligible voter;

ii. insert the Ballot in the Secrecy Folder and hand it to the voter;

g) Upon receiving the Ballot, the voter shall:

   i.   proceed to the Voting Booth;

   ii. using the special Ballot marking pen provided in the Voting Booth, vote by marking the area provided to the right of the candidate's name for whom the voter wishes to vote.

h) After marking the Ballot in the Voting Booth, the voter shall:

   i.   insert the Ballot into the Secrecy Folder with the Election Official's initials showing;

   ii. leave the Voting Booth without delay; and,

   iii. deliver the Secrecy Folder containing the Ballot to the Election Official responsible for the Ballot Box

Processing the Ballot

i) The Election Official responsible for the Ballot Box shall ensure that the voter removes the Ballot from the secrecy folder and places the Ballot into the Ballot Box. The Election Official may assist the voter, if requested.

Close of Reduced Hour Voting Location

j) The Election Official responsible shall announce that the Poll is now closing.

k) The Election Official will seal and date the Ballot Box.

l) The Election Official shall complete a statement of the Voter Turnout to indicate the number of voters who voted during the Reduced Hour Voting Location. Any candidate or scrutineer present may sign the statement. All unused ballots, rejected ballots, voters lists, and election material shall be placed in an envelope and/or box provided by the Clerk.

m) The Election Official shall deliver the sealed Ballot Box, and the envelope and/or box with election supplies, to Town Hall and the Election Official as designated by the Clerk.

n) The Election Official at the Town Hall will be responsible to cast the Ballots through the Vote Tabulator prior to the Close of the Polls. Any candidate or scrutineer present may witness the casting of the ballots. Any Ballots that are rejected from the Vote Tabulator shall be handled in accordance with Section 11.k (iii).

PROCEDURE AT ADVANCE VOTING LOCATION

15) a) The Election Official responsible for the Vote Tabulator shall, in the presence of other Election Officials and all candidate(s) or scrutineer(s) present, cause the Vote Tabulator to print a copy of all totals in the memory card one hour or less before the opening of the voting location on the first Advance Poll date.

b) If the totals are zero for all candidates, the Election Official shall post the first zero tape on a wall in the voting location and print a second (duplicate) zero tape. The Election Official shall ensure that the second zero printout remains affixed to the Vote Tabulator until the results are printed by the Vote Tabulator after the close of voting on Voting Day.

c) If the totals are not zero for all candidates on the first advance voting day, the Election Official shall immediately notify the Clerk and shall conduct the vote using the auxiliary compartment of the Ballot Box until the Vote Tabulator is made operational or the Clerk provides a back-up Vote Tabulator to the voting location.

Audio Ballot Procedure at Advance Voting Locations

d) The Election Official shall position the voter near the Audio Vote Tabulator. The Election Official shall position the privacy screens around the voter to add further privacy. The Election Official shall then insert a blank sheet of Ballot paper into the printer device, provide the voter with the headphones and handheld controller, and key in the Ballot ID number on the unit. The Election Official shall

position the Secrecy Folder at the printer exit slot to receive the Ballot as it is printed.

e)   When the voter has made and confirms all their vote selections, they will use the handheld controller to command the Ballot Marker Device to print their actual paper Ballot. The Printer Device of the unit will automatically process the blank sheet of paper, printing the full Ballot on the sheet complete with the vote markings selected by the voter. The paper Ballot will emerge from the printer hidden under a covering and will be placed in a Secrecy Folder before removal. The Election Official(s) will then place their initials and select the poll information of the Ballot while it is within the Secrecy Folder and then insert the Ballot into the input slot at the front of the Vote Tabulator, as per normal Ballot processing as outlined in Sections 11 f) to 11 k).

Procedure for Closing of Advance Voting Locations

f)   The Election Official shall, after the close of the Advance Voting Day, check the auxiliary compartment of the Ballot Box for the Ballots to ensure all Ballots have been processed and any Ballots in the auxiliary compartment shall be processed immediately. Once all Ballots have been processed, the following steps shall be taken.

i.   the Election Officials shall note the number of voters who voted, based upon the number of Ballots processed by the Vote Tabulator as displayed on the Vote Tabulator Ballot counter;

ii.   seal, label and date the Ballot Box;

iii.   turn off and unplug the Vote Tabulator and place it in the carrying case provided;

iv.   complete a statement of the Voter Turnout to indicate the number of voters who voted during the advance voting day. Any candidate or scrutineer present may sign the statement;

v.   personally deliver the Vote Tabulator, Ballot Box and other election supplies to the location and person designated by the Clerk;

vi.   an Election Official shall secure the Ballots and Vote Tabulator in a location where no one other than the Clerk may gain access;

vii.   the total of the votes at an advance voting location shall not be printed and the procedures under Section 16 shall not be followed until after 8:00 p.m. on Voting Day, at which time any candidate his/her scrutineer entitled to be in attendance may be present.

g)   At the beginning of each additional day of advance voting, the Election Official shall,

i.   collect the voting equipment and supplies from the Clerk;

ii.   remove the Vote Tabulator from the secure location where it has been stored;

iii.   complete a Statement of the Voter Turnout to indicate the beginning number for the day is the same as the number recorded at the close of voting from the previous advance voting day. Any candidate or scrutineer present may sign the statement.

PROCEDURE FOR CHANGING THE BALLOT BOX, IF NECESSARY

16)   The Election Official shall periodically check the Ballot Box to ensure that it is not getting too full. If it appears to be getting full, please use the following procedure.

a.   Wait for a lull in voting, locate the spare Ballot Box for your voting location and ask that other Election Officials, candidates or scrutineers that are present to observe your actions;

b.   Remove the Ballot Box and seal the ballot slot on the box with the appropriate seal and initials;

c.   Place the full Ballot Box beside the Vote Tabulator and write the ward number, voting location, date and Box 1 of 2 on the Ballot Box and place initials on box;

d.   Show that the new Ballot Box is empty to anyone present and seal the top of the box as was completed at the opening of the poll;

e.   Position the new Ballot Box against the Vote Tabulator and continue the processing of Ballots.

PROCEDURES FOR CLOSING VOTE TABULATORS ON VOTING DAY

17) All voters who are within the voting place at the time of closing will be permitted to vote. The Election Official(s) shall close the doors to the voting location so that no other voters may enter. When all voters have cast their Ballots and have left the room, an Election Official shall announce "Voting has ended". The following procedures must be followed on Voting Day after the announcement that the voting has ceased;

a) the Election Official shall check the auxiliary compartment of the Ballot Box for Ballots to ensure all Ballots have been processed and any Ballots in the auxiliary compartment shall be processed immediately. Once all Ballots have been processed, the following steps shall be taken:

i. secure the Vote Tabulator against receiving any more Ballots;

ii. seal, label and date the Ballot Box;

iii. print two copies of the results tape from the Vote Tabulator indicating the votes given for each candidate;

iv. remove the two copies of the results tape from the Vote Tabulator and sign the certificate portion on the two copies along with any candidates or scrutineers who are present and wish to sign;

v. place the first copy of the results tape that includes the zero total printout in the statement envelope provided;

vi. post the second copy of the results tape in the voting place for any candidates or scrutineers to view;

vii. complete a final statement in duplicate recording the number of:

a. Ballots received from the Clerk,
b. Ballots counted by the Vote Tabulator,
c. declined Ballots,
d. rejected Ballots, and,
e. unused Ballots;

viii.   place the original copy of the final statement in the appropriate envelope;

    a.   place the duplicate copy of the final statement, the Voter's List and the certificate and receipt of Ballots, in the appropriate envelope and seal the envelope;

    b.   place in separate envelopes:

- all rejected Ballots

- all declined Ballots;

- all unused Ballots; and.

- once all the above Ballots are placed in the appropriate envelopes, seal the envelopes;

ix.   place all remaining supplies and sealed envelopes in a supply bag and seal the supply bag; and,

x.   personally deliver the Vote Tabulator in a Vote Tabulator bag, supply bag, and Ballot Box to the location designated by the Clerk.

b)   If a Vote Tabulator has been used to tabulate votes cast in a voting location but the tabulation of the votes cannot be completed because the Vote Tabulator is not operating or cannot be made to operate within a reasonable time following the close of voting, the Election Official responsible for the voting location shall, after the close of voting, and after determining the tabulation cannot be completed, advise any candidate(s) or scrutineers(s) in attendance that the following procedures will be followed and afford them the opportunity to be present:

i.   secure the Vote Tabulator against receiving any more Ballots;

ii.   seal, label and date the Ballot Box;

iii.   place all remaining supplies and all rejected, declined and unused Ballots in the appropriate envelopes in the supply bag and seal it;

iv. personally deliver the Vote Tabulator in a Vote Tabulator bag, supply bag, and Ballot Box to a location designated by the Clerk where a back-up Vote Tabulator is located;

v. follow the procedures set out in Section 10 (a), (b), (c) to ensure that the totals of the back-up Vote Tabulator are zero for all Candidates;

vi. insert all the Ballots from the Ballot Box into the back-up Vote Tabulator; and

vii. follow the procedure in Section 16.

c) If, at the close of voting, the Clerk is of the opinion that it is impractical to count the votes with the Vote Tabulators, he or she may direct that all the votes cast in the Election be counted manually, following as far as practical the provisions of the Act governing the counting of votes.

RESULTS

18) a) Upon receipt of the Vote Tabulators from each voting location, the Clerk shall ensure that the memory cards from each Vote Tabulator are processed and read into a central registry and the total votes for all offices as a result of this process shall constitute the preliminary results for the Election, which shall be uploaded to enable the date to be shown as "Unofficial Results" on the Town website.

b) In accordance with Section 55(4) of the Act, after verifying all procedures and results, the Clerk shall declare the candidate(s) with the highest number of votes to be elected and declare the results of any vote on a by-law or question.

RECOUNTS

19. a) In the event of a tied vote for two or more candidates, votes on a by-law for the affirmative and negative are equal or the votes for two or more answers to a question are equal, the Clerk shall hold a recount.

b) The recount shall be held within 15 days after the Clerk's declaration of the results of the election.

c) The recount shall be conducted in the same manner as the votes were counted on voting day.

d) The Vote Tabulator shall be tested before the recount in the same manner described in Section 7.

Recounts Ordered by Judge

20) a) Subject to an order of a Judge under 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.

b) The Vote Tabulator shall be tested before the recount in the same manner as described in Section 7.

c) If a Vote Tabulator is used for a recount, the recount is limited to the Ballots tabulated by a Vote Tabulator during advance vote period and the relevant Ballots cast on voting day.

d) The Clerk shall attend the recount and bring the election supplies kit bag, Vote Tabulators, statement envelopes and all documents that, in the opinion of the Clerk, are relevant to the recount.

e) If a Vote Tabulator is used for a recount, any candidate, or candidate's lawyer or scrutineers will not be permitted to examine the Ballots or to dispute the validity of a Ballot or the counting of votes in a Ballot as the Ballots are being fed into the Vote Tabulator by the Election Official.

RETENTION OF ELECTION RECORDS

21) The Clerk shall, at the completion of the vote, retain the programs, memory cards, test materials and Ballots in the same manner as is provided for in the Act for the keeping of election records.

The Clerk shall retain and may have access to the pre-audited group of Ballots referred to in Sections 7 and 8 and other materials used in the programming of the Vote Tabulators.

The Clerk shall not alter or make changes to the materials referred to above.