



TOWNSHIP OF WELLINGTON NORTH

2022 MUNICIPAL AND SCHOOL BOARD ELECTION VOTING PROCEDURES

DEPARTMENT	CLERK	POLICY NUMBER	005-22
EFFECTIVE DATE	February 22, 2022	LEGISLATIVE AUTHORITY	Municipal Elections Act, 1996 (42 (3))
APPROVED BY:	By-law 028-22		

Contents

1. SCOPE	2
2. DEFINITIONS	2
3. PURPOSE	3
4. GENERAL PROVISIONS	3
5. SECRECY	4
6. FORM OF THE BALLOT	4
7. VOTING PLACE	4
8. VOTE BY MAIL PROCEDURES	4
9. REJECTED BALLOTS	6
10. ASSISTANCE REQUIRED TO VOTE	6
11. VOTING KITS RETURNED UNDELIVERED BY CANADA POST	7
12. WHEN THE RECORD SHOWS AN ELECTOR HAS ALREADY VOTED	7
13. REPLACEMENT VOTING KIT	7
14. AMENDING SCHOOL BOARD SUPPORT	8
15. SECURITY OF THE BALLOTS	8
16. PROXY VOTING	8
17. REQUIREMENT TO PROVIDE PROOF OF IDENTITY	9
18. SCRUTINEERS	9
19. EMERGENCIES	9
20. SPECIFIED DATES	9
21. CERTIFICATION	9

1. SCOPE

- 1.1 This policy applies to all qualified electors and election officials in the Township of Wellington North during the 2022 municipal election.

2. DEFINITIONS

- a) **Advance Voting Locations** – are located at
 - i. Mount Forest Sports Complex, 850 Princess St, Mount Forest, ON N0G 2L3 and Arthur and
 - ii. Area Community Centre, 158 Domville St, Arthur, ON N0G 1A0
- b) **Ballot Count Centre** – is where the blank ballot kits are stored, the secrecy envelopes are opened, ballots processed and where the tabulating of votes will occur on Voting Day. This station is located at the Wellington North Administration Building located at 7490 Sideroad 7 West, Kenilworth, Ontario N0G 2E0. This location is only open to authorized staff, designated election officials, certified candidates and appointed scrutineers.
- c) **Ballot Kit/Vote by Mail Kit** – contains voting instruction sheet; composite ballot; ballot secrecy envelope; voter declaration form; yellow outer return envelope with prepaid postage and such other material as the Clerk or designate determine
- d) **Ballot Return Station** – is the place where ballots may be delivered. The Ballot Return Station will be located in the Township of Wellington North Administration Building located at 7490 Sideroad 7 West, Kenilworth, Ontario N0G 2E0.
- e) **Clerk** – is the Clerk of the municipality who is responsible for conducting this election under the authority of the Act. All references to the Clerk for the purposes of this manual shall mean the Returning Officer (R.O.) All references to Clerk's designate shall mean the delegated duties of the R.O.
- f) **Deputy Returning Officer**- is a person appointed by the Clerk for each voting place who will be delegated specific duties and powers by the Clerk.
- g) **Election Official** – is the Clerk or other person(s) appointed in writing by the Clerk to carry out election duties under the Act. An Election Official can only carry out the tasks and duties as assigned in writing by the Clerk, and must take the prescribed oath. (s. 15(4))
- h) **Municipal Office** - is the Township of Wellington North Administration Building located at 7490 Sideroad 7 West, Kenilworth, Ontario N0G 2E0.
- i) **Proof of Identification** - is proof of identity and residence as prescribed in O. Reg. 304/13 of the Act.
- j) **Proxy Voting** - A ballot cast by one person on behalf of another.
- k) **Regular Office Hours** - Monday to Friday, 8:30 a.m. to 4:30 p.m.

- l) **Return Envelope Processing Station(s)** – are located at the Municipal Office where the yellow return envelopes are processed/scanned, the electronic voter’s list updated and the opened yellow return envelopes together with the unopened secrecy envelopes be placed in ballot boxes for secure storage until Voting Day of October 22, 2022.
- m) **Scrutineer** - is an individual, appointed in writing by a certified candidate, to represent him or her during the voting process.
- n) **Voters List** - is the Preliminary List of Electors, as corrected by the Clerk, under the provisions of Section 22 of the MEA.
- o) **Voting Day** - is the final day on which votes may be cast in the 2022 municipal election and shall be the fourth Monday in October, being Monday, October 24, 2022 with the close of voting to be at 8:00 p.m.
- p) **Voting Place** - is located at the Municipal Office, at 7490 Sideroad 7 West, Kenilworth, Ontario N0G 2E0.

3. PURPOSE

- 3.1 Section 42(3) of the *Act* requires the Clerk to establish procedures and forms for the use of any alternative voting method. The alternative voting method being employed in Wellington North for the October 24, 2022 municipal election is vote by mail.

4. GENERAL PROVISIONS

- 4.1 The Clerk, in the role of Returning Officer, may need to vary from these prescribed rules, or develop additional ones, from time to time as the Clerk deems necessary.
- 4.2 A copy of any amendment(s) to this policy will be posted on the municipal website. Candidates and electors should check regularly for amendments.
- 4.3 The alternative voting method ensures that every eligible voter has an opportunity to exercise their right to vote in a seamless and barrier free manner.
- 4.4 Any person who receives a Vote by Mail Kit addressed to another person should contact the Municipal office to receive further information as **it is against the law to exercise a vote other than your OWN vote.**
- 4.5 As with all matters related to a municipal election, the Clerk’s decision is **final**.
- 4.6 It is the intent of the Clerk, or designate, to use their best efforts to ensure that no qualified elector is disenfranchised from participating in the municipal election.
- 4.7 For more information, please call or drop by the Municipal Office during regular business hours or call 519-848-3620 or access information from the municipal website: <http://wellington-north.com/>

5. SECRECY

- 5.1 All Election Officials take an oath of secrecy on appointment by the Clerk. All complaints regarding any and/or all breaches of secrecy shall be documented by the Election Official as well as questions and answers of the complainant, and, if deemed appropriate, the Clerk shall submit same to the police for further investigation and prosecution.

6. FORM OF THE BALLOT

- 6.1 The form of the ballot will be a composite ballot and shall list the names of candidates in alphabetical order based on the last name of each candidate as it appears on the nomination form. The place for the elector to mark the ballot for each candidate shall be clear and unambiguous. The ballot shall be designed so the ballot can be counted using a tabulator.

7. VOTING PLACE

- 7.1 There shall be a designated area in the voting place in which electors may mark their ballots without other persons being able to see how they are marked.
- 7.2 The Clerk or designate may attend at Birmingham Retirement Community 356A Birmingham Street East, Mount Forest, Ontario N0G 2L2; Caressant Care, 215 Eliza Street, Arthur , ON N0G 1A0; Saugeen Valley Nursing Centre, 465 Dublin St, Mount Forest, ON N0G 2L3 and Louise Marshall Hospital, 630 Dublin Street, Mount Forest, ON N0G 2L3 on dates to be determined, to deliver vote by mail kits, make additions to the voters list and receive completed ballots as cast by individuals at that location. Ballots shall be deposited into a secure ballot box and returned to the municipal office.

8. VOTE BY MAIL PROCEDURES

- 8.1 The municipality will provide a Vote By Mail Kit prepared by a third party provider to every person who qualifies to be an elector and who is shown on the Voter's List up to the Close of Voting on October 24, 2022.
- 8.2 During the week of September 26, 2022 to September 30, 2022 (actual mailing date to be determined) Vote by Mail Kits will be mailed to electors shown on the Voter's List as of September 16, 2022.
- 8.3 A supply of blank ballots will be available at the municipal office and at Advance poll locations.
- 8.4 If the Clerk runs out of blank ballots printed, and there is insufficient time to reorder, the Clerk may photocopy as many blank ballots as deemed necessary, and place his/her initials upon the back of each blank ballot. The number of blank ballots copied will be recorded. The authority to photocopy blank ballots remains with the Clerk and is not a delegated responsibility to any other Election Official.

- 8.5 Electors added to the Voters' List after September 16, 2022, and up to the close of voting at 8:00 p.m. on October 24, 2022 may pick up their Vote by Mail Kit at the time of filing their Application to Amend the Voters' List form during regular office hours.
- 8.6 A Vote by Mail Kit shall consist of:
- 8.6.1 A Voting Instruction Sheet with a detachable Voter Declaration Form (with bar code)
 - 8.6.2 A Composite Ballot
 - 8.6.3 A White Ballot Secrecy Envelope
 - 8.6.4 A Yellow Return Envelope with prepaid postage; and
 - 8.6.5 Such other material as the Clerk determines
- 8.7 The number of Vote by Mail Kits distributed by the Clerk or designate to persons qualifying to be voters after September 16, 2022 will be recorded.
- 8.8 Upon receipt of the Vote by Mail Kit, each voter should follow the instructions provided in the Voting Kit exactly. The instructions require the voter to:
- 8.8.1 Complete the ballot
 - 8.8.2 Insert the ballot into the white ballot envelope marked Ballot Secrecy Envelope
 - 8.8.3 SEAL the white Ballot Secrecy Envelope
 - 8.8.4 Complete and sign the Voter Declaration Form
- 8.9 The final day to mail the Vote by Mail kit to the municipality to ensure delivery is still to be determined. Any elector who receives ballot in the mail may chose to attend at the municipal office with their ballot between October 3, 2022 to October 21, 2022 during regular office hours and up to the close of voting at 8:00 p.m. on October 24, 2022 to conduct their vote at a secure location at the Ballot Return Station in the Municipal Office and leave the return envelope with the Clerk, or designate in a ballot box. Alternately an elector may attend at an Advance Poll and deposit their ballot into the ballot box.
- 8.10 Ballots may also be dropped in the secure afterhours mail slot at the Municipal Office on or before 8:00 p.m. on October 24, 2022 (Voting day). Ballots received after 8:00 p.m. on October 24, 2022 shall not be processed or counted, but will be time and date stamped and kept with the official election records.
- 8.11 In the event of a postal strike the Clerk shall establish procedures that allow for delivery/receipt of vote by mail kits as well as notification to the public.
- 8.12 The onus is on eligible voters to ensure their name is on the Voters List and that they notify the Clerk or designate that they have not received a Vote by Mail Kit.
- 8.13 The Clerk or designate may, in special circumstances, arrange to have a Vote by Mail Kit delivered to an individual.

8.14 An elector who has not mailed their ballot to the Municipal Office on or before October 13, 2022 should deliver their completed ballot kit to the Ballot Return Station at the municipal office during regular office hours and up to the close of voting at 8:00 p.m. on October 24, 2022 or at an Advance Poll location.

9. REJECTED BALLOTS

9.1 Ballots will be rejected when:

- 9.1.1 a returned kit contains unsigned or incomplete declaration forms;
- 9.1.2 a returned kit contains no declaration form;
- 9.1.3 the Return Envelope contains more than one ballot;
- 9.1.4 the Return Envelope contains more than one voter declaration form;
- 9.1.5 the Return Envelope contains more than one ballot secrecy envelope;
- 9.1.6 the return envelope has been received after 8:00 pm on October 24, 2022;
- 9.1.7 the Return Envelope has identifiable marks which could be writing or printing marks placed on the envelope other than that printed by the municipality;
- 9.1.8 an electors name inadvertently appears more than once on the Voters List after the Voters' List data has been forwarded to the printer. The Clerk will make every effort to remove such duplications prior to the date of the first Daily Ballot Processing Session. Return Envelopes received at the Ballot Return Station from electors who received more than one kit and whose name has been crossed off the Voters' List, will be rejected. In the event that duplications inadvertently remain on the Voters' List, and are discovered during the Daily Processing Sessions, the ballot will be rejected.

9.2 Any Return Envelope that was rejected will be marked as such, numbered, initialed and recorded with the reason and placed in the ballot box along with the accepted ballots. The total number of rejected ballots will be recorded separately and will be included in the final count on Voting Day.

9.3 A separate Return Envelope is required from each individual elector. Returned kits that contain more than one declaration form, ballot envelopes from another elector, or more than one inner ballot envelope, shall be treated as a rejected ballot. Although irregular, if the same number of declaration forms and ballot envelopes are received, the envelopes will not be rejected, and can be counted. In these cases, the declaration forms must be from two different electors.

10. ASSISTANCE REQUIRED TO VOTE

10.1 If a voter requires assistance in voting, he/she shall:

- 10.1.1 make their mark (i.e. an "x") on the signature line and have a friend sign in the signature area of the Voter Declaration Form;
- 10.1.2 Place the completed Voter Declaration Form and the SEALED white Ballot Secrecy Envelope into the yellow prepaid business reply envelope;
- 10.1.3 Seal the yellow prepaid business reply envelope; and
- 10.1.4 Mail the yellow prepaid business reply envelope on or before October 13, 2022 or deliver it personally to the Municipal Office

10.2 Alternately, voters requiring assistance in any manner should attend the municipal office or call the Township of Wellington North at 519-848-3620 for assistance from election staff during normal office hours during the election period, and on October 24, 2022 (Voting Day) from 8:30 a.m. to 8:00 p.m.

10.3 Alternately, municipal staff may attend in person to any elector who is in need of assistance to complete their ballot.

11. VOTING KITS RETURNED UNDELIVERED BY CANADA POST

11.1 The Clerk and designate shall take all reasonable measures to attempt to locate the elector shown on the return Vote by Mail Kit.

12. WHEN THE RECORD SHOWS AN ELECTOR HAS ALREADY VOTED

12.1 Provision is made to allow a person to vote if it appears that someone else has already voted in his/her name or that the Voters' List has been marked opposite that person's name as having voted in error. The person must take the prescribed "Oath of qualification" and provide proof of identity and residence as prescribed in O. Reg. 304/13. His/her name and address is then entered electronically on the Poll Clerk's list, the DataFix system will reject the first Vote by Mail ballot that was processed and the individual shall be issued a new ballot and permitted to vote.

12.2 The Clerk or designate will ensure the original Vote by Mail kit in its entirety including the unsealed yellow Return Envelope, the sealed white Secrecy Envelope, with all enclosures is set aside and marked as to the reason it was rejected. If it appears as though voter fraud has taken place, the Clerk shall notify the Wellington County Ontario Provincial Police detachment.

13. REPLACEMENT VOTING KIT

13.1 If a voter on, or added to, the Voters' List does not receive a Vote by Mail Kit, or if the Vote by Mail Kit is lost or destroyed, a replacement Vote by Mail Kit may be issued.

13.2 The voter or their agent must attend at the municipal office to obtain a replacement voting kit. A declaration form must be signed by the elector prior to the issuance of a replacement voting kit. The Clerk or designate will confirm that the voter is qualified, and issue the Replacement voting kit.

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

13.4 The Clerk or designate shall ensure that each individual for whom a replacement voting kit is issued, signs a declaration form attesting to the fact that they are:

13.4.1 A qualified elector;

13.4.2 Not in receipt of their Vote by Mail Kit;

13.4.3 They were in receipt of their Vote by Mail Kit but it has been either lost or destroyed;

13.4.4 They were not on the Voters' List and as such shall also be processed as an addition to the Voters' List.

13.5 A list of names shall be maintained showing the name and address of each person who has received a Replacement voting kit.

13.6 The completed replacement voting kit declaration forms shall be kept in the custody of the Clerk.

14. AMENDING SCHOOL BOARD SUPPORT

14.1 If an elector after receiving a voter kit wishes to amend the Voters' List with respect to school board designation and requires a different ballot, the original voter kit with the ballot intact must be submitted to the Clerk prior to a new ballot being issued.

15. SECURITY OF THE BALLOTS

15.1 Immediately on receipt of ballots by mail or from the Ballot Returning Stations the Clerk or designate shall place the unsealed yellow Outer Return Envelope containing the white secrecy envelope in a ballot box in the secure location as designated by the Clerk in bundles of 25.

15.2 As each ballot box is filled, and at the end of each day, the Clerk, or designate and a witness who shall be a staff member of the Township of Wellington North, shall affix a seal to the ballot boxes, initial the seal and place the sealed ballot boxes in the secure location as designated by the Clerk in bundles of 25.

15.3 Each morning the Clerk or designate, and a witness who shall be a staff member of the Township of Wellington North, shall retrieve any sealed, but not full ballot boxes, inspect the seals to ensure they are intact, and, in the presence of another election staff member, break the seals to access the slots for use at the Return Envelope Processing Station.

15.4 When the count is complete, the ballot boxes will be sealed and initialed by the Clerk, or designate, prior to transfer to a secure location under the control of the Clerk, or designate, for the statutory retention period. Destruction of the official election records shall be in accordance with the Municipal Elections Act, 1996.

16. PROXY VOTING

16.1 When using a Vote By Mail method, in accordance with Section 42(5), of the Municipal Elections Act, 1996, as amended, there is no requirement for and no opportunity to vote by proxy.

17. REQUIREMENT TO PROVIDE PROOF OF IDENTITY

17.1 All eligible electors are required to provide proof of identity and residence in order to obtain a ballot at the municipal office or they must sign the Voter Declaration card included in the Vote by Mail Kit. The type of identification is prescribed in O. Reg. 304/13 and is attached hereto as Schedule "A"

18. SCRUTINEERS

18.1 Candidates may appoint scrutineers in writing, on the designated form, to represent them and all scrutineers must comply with the procedures set out on their Appointment Form.

18.2 Scrutineers OR candidates may be present when Return Envelopes, Inner Ballot Secrecy Envelopes or ballots are being processed and when the votes are being counted.

19. EMERGENCIES

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

19.2 Any unforeseen cases not dealt with in these procedures will be recorded, action taken, and reflected in an addendum signed by the Clerk, to these procedures and circulated to all candidates as soon as possible.

20. SPECIFIED DATES

20.1 Dates specified in this Procedure respecting the issuance and return of Vote by Mail Kits may vary slightly depending on Canada Post schedules and the time line provided by DataFix.

21. CERTIFICATION

21.1 These are the certified procedures for voting and for the use of vote counting equipment that shall be followed for the 2022 Municipal Election in the Township of Wellington North.

These procedures may be amended as deemed necessary by the Clerk/Returning Officer and/or Deputy Clerk/ Deputy Returning Officer.