2018 Municipal Election
Voting Procedures

<u>**Application**</u>

1.   This procedure applies to an election conducted by the City of Barrie that has adopted a by-law in accordance with section 42(3) of the *Municipal Elections Act, 1996*, S.O., 1996. By-law 95-171, adopted on July 24, 1995 authorizes the use of voting machines, voting recorders, optical scan vote tabulation or other voting devices for the purposes of voting.

2.   Where this procedure does not provide for any matter, an election/by-election to which this procedure applies shall be conducted in accordance with the principles of the *Act.* The City Clerk shall provide a determination regarding any matter not provided for in this document and it shall be dealt with in accordance with the principles of the *Act.* These principles are generally recognized as being:

   a)   the secrecy and confidentiality of the voting process is paramount;
   b)   the election shall be fair and non-biased;
   c)   the election shall be accessible to the voters;
   d)   the integrity of the process shall be maintained throughout the election;
   e)   that there be certainty that the results of the election reflect the votes cast;
   f)   that electors and candidates shall be treated fairly and consistently; and,

3.   The Clerk has the right to amend these procedures and will distribute notice of amendment(s) as applicable.

4.   These procedures are subject to change without notice in case of an emergency as prescribed in Section 53 of the *Act.*

<u>**Definitions**</u>

5.   In this procedure:

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

   "Advance Vote", "Advance Voting", "Alternative Voting Opportunities" or **"Early Voting Opportunities"** means the voting opportunities available prior to Voting Day when eligible electors may vote in the election.

   "**Auxiliary Compartment**" means the front compartment of the Ballot Box in which voters' completed ballots are temporarily stored in the event that a DS200 Vote Tabulator fails to operate or is not utilized.

   "**Assistive Technology**" means a personal assistive device which electors with physical disabilities or limited dexterity can use to mark choices on the ballot (e.g. braille keypad and sip and puff).

   "Ballot Box" means the box on which the DS200 Vote Tabulator is placed and in which voters' completed ballots are stored at the voting location. The DS200 Vote Tabulator feeds scanned Vote Cards directly into the ballot box.

   "**Blank Ballot**" is a composite ballot with no valid marks, or is marked such that the mark is insufficient in size or darkness to determine a voter's intent. It is also the message generated by a Vote Tabulator when the ballot marks could not be read by the Vote Tabulator.

   "**Cancelled Ballot**" means a ballot that has been returned to the Election Official by the voter for replacement with a new ballot.

   "Clerk" or "City Clerk" means the Clerk of The Corporation of the City of Barrie.

   "**Declined Ballot**" means a ballot that is returned to the Election Official by the voter because the voter has decided not to cast a ballot. A Declined Ballot is not processed by the Vote Tabulator.

"Designated Voting Space" means the box located beside a candidate's name on the ExpressVote Terminal that an elector presses to make a selection for a candidate.

"DS200 Vote Tabulator" means a machine that digitally scans a ballot to read vote(s), store information and tabulate results.

"Election Official" means a person designated by the City Clerk to perform certain election functions.

"ExpressVote Terminal" means a ballot marking machine which allows the voter to insert a Vote Card and make selections on a touch screen, audio-tactile keypad or rocker paddle. The voter's contest selections are captured and printed on the Vote Card, and in turn are deemed to be a ballot meaning a touch screen machine designed to capture and mark voting cards for all voters.

"Roving Voting Location" means a voting location in an institution or retirement facility as prescribed by the *Municipal Elections Act, 1996* or a voting location in a facility with reduced voting hours, as determined by the Clerk.

"Scrutineer" means a person appointed by a candidate to represent them during voting and at the counting of votes, including a recount. A candidate may also act as a scrutineer at a voting place.

"**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.

"Special Circumstances Envelope" means the envelope designated to hold ballots that have been set aside for examination by the Clerk after the close of voting.

"USB Drive" means a data storage device that is a removable electronic memory storage device on which all tabulated votes are stored for that tabulator.

"**Vote Card**" means a card with only ward and school support printed that is used by the ExpressVote to print a voter's selections and inserted into the DS200 Vote Tabulator for vote tabulation.

"Voterview" means an on-line "real time" electronic program used to administer the Voters' List.

"Voting Booth" means the screened area provided for the privacy of the voter to mark the ballot.

"Voting Day" means Monday, October 22, 2018.

"Voting Location" means the place where voting takes place as designated by the Clerk.

"Zero Printout" means a printed report of the totals in the DS200 Vote Tabulator's USB, which is printed at the opening of the voting place and confirms zero totals for all candidates.

<u>**Election Officials**</u>

6.   The City Clerk shall appoint election officials for the purpose of implementing this procedure 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

7.   In place of using separate ballots for each office, the City Clerk is authorized pursuant to Section 41 of the *Act*, to use Composite Ballots at the 2018 Municipal Election.

8.   The ballots required shall be in the form of "English Language Public School Elector, "French Language Public School Elector", "English Language Separate School Elector", "French Language Separate School Elector", and "Non Resident Elector".

9.   In accordance with Section 41(2) of the *Municipal Elections Act*, the form of ballot can be altered as circumstances warrant if a vote is not required for election to any office.

10.   There shall appear on the ballot screen next to the candidate's name, a Designated Voting Space suitable for the elector to press to make a selection. When the space is touched, a mark appears in the Designated Voting Space next to the candidate's name.

Programming and Testing of the Voting Equipment

11.   The testing procedures established have been developed in accordance with the City Clerk's goal of ensuring the highest level of accuracy and confidence in the election results.

12.   Testing of the equipment is completed by individuals other than those who programmed the equipment to ensure the integrity of the testing procedures.

13.   Prior to the first alternative voting opportunity, the City Clerk shall designate individuals to test the equipment to ensure that the equipment will accurately mark, count, record and report votes cast for all candidates.

14.   Each Vote Card printer will be tested to ensure it will print each ballot type properly.

15.   The ExpressVote Terminals and DS200 Vote Tabulators shall be programmed so that they contain all of the ballot styles for all Wards and School Board Offices.

16.   The testing of each ExpressVote Terminal shall be conducted by:

   a)   inserting blank Vote Cards, ensuring each ballot style displays correctly and marking a pre-determined number of votes for each candidate including marking votes using each type of assistive device;
   b)   ensuring that the ExpressVote will permit a voter to submit a blank ballot;
   c)   ensuring the ExpressVote will not permit an elector to vote for more than one candidate for each office;
   d)   ensuring that the ExpressVote will permit a voter to submit a ballot for one or more offices, without a selected candidate;
   e)   assembling all ballots marked by the ExpressVote, and preparing a DS200 Vote Tabulator by producing a zero printout to confirm that no votes are stored on the USB drive;
   f)   tabulating the ballots marked by the ExpressVote in the DS200 Vote Tabulator; and
   g)   comparing the output of the tabulation results from each DS200 Vote Tabulator against the pre-determined results.

17.   If the City 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.

18.   The DS200 Vote Tabulator shall be programmed so that a printed record of the number of votes cast for each candidate and an overall total of ballots cast can be produced.

19. The DS200 Vote Tabulator shall be programmed to return a ballot that is damaged or defective or has been marked in such a way that it cannot be properly processed by the Vote Tabulator:

20. The Clerk undertakes testing of all DS200 Vote Tabulators to ensure they accurately count the votes cast for all candidates and operate as programmed.

21. When testing the DS200 Vote Tabulator, adequate safeguards shall be taken to ensure that the system, or any part of it that is used for processing and tabulating votes, is isolated from all other applications or programs and that no remote devices are capable of gaining access to the Vote Tabulator.

22. The test for each DS200 Vote Tabulator shall be conducted by:

    a) powering up the DS200 Vote Tabulator;
    b) confirming the DS200 Vote Tabulator contains a USB Drive;
    c) printing a zero report;
    d) tabulating a pre-determined group of ballots including blank ballots, ballots for which a candidate has not been selected for an individual office(s) and ballots on which are recorded a pre-determined number of votes for each candidate;
    e) printing the results from the DS200 Vote Tabulators;
    f) reading the USB drive and testing the tally and reporting application; and
    g) comparing the output of the tabulation against the pre-determined results.

23. 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.

24. At the completion of the testing process, the Clerk clears the USB of the vote totals from the test ballots and seals a cleared USB drive(s) inside the DS200 Vote Tabulator.

25. The Clerk retains, pursuant to section 88 of the Act, the test ballots referred to in these procedures, the tapes of the results that were produced during the test, and other materials used in the programming and testing of the ExpressVote and DS200 Vote Tabulators.

Candidates/Scrutineers

26. Candidates may appoint scrutineers in writing using the form provided by the City, to represent them at the Voting Location.

27. Only one representative of the candidate, either the candidate or his/her appointed scrutineer may be in a Voting Location for each DS200 Vote Tabulator in use at the Voting Location at one time.

28. 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 DS200 Vote Tabulator by the Election Official or to interfere in any way with the administration of voting procedures at the Voting Location.

Opening the Voting Location

29. At the beginning of each of the voting opportunities, the Election Official shall:

    a) Remove the keys, ballot boxes, Vote Cards and supplies from the secure location where they have been stored;
    b) bring the voting equipment and supplies to the voting location designated by the City Clerk;
    c) Assemble the ExpressVote Terminals, DS200 Vote Tabulators, Ballot Boxes and Auxiliary Compartment in the presence of other Election Officials and all candidates/scrutineers present;

d)   Turn on each ExpressVote Terminal;
e)   Present the ballot box and demonstrate that there are no ballots in the ballot box on the first day that the specific ballot box is used;
f)   Seal the ballot box accordingly, leaving the feeder slot open for the placement of the DS200 Vote Tabulator;
g)   Plug in the DS200 Vote Tabulator and follow the instructions accordingly;
h)   Cause the DS200 Vote Tabulator to print two copies of the totals in the USB on the first occasion that the USB Drive is used in the 2018 Municipal Election to confirm that the totals for all candidates are zero and ensure that the zero printout is secured and made available for viewing;
i)   Complete a statement of the number of ballots cast displayed on the DS200 Vote Tabulator; and
j)   Commence the voting process as outlined in these procedures or re-commence the voting process if the equipment has been utilized on a previous occasion in the election.

30.   If the DS200 Vote Tabulator is not operational, 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 replacement Vote Tabulator to the Voting Location.

31.   If a DS200 Vote Tabulator is not being utilized at a Roving Location, the Election Official shall conduct the vote using a sealed Ballot Box with a feeder slot open for the placement of marked ballots. Each voter's marked ballot shall be placed in the Ballot Box for scanning at a later time.

32.   The Election Official shall secure one copy of the zero printout, any pre-printed Vote Cards equipment, keys, auxiliary compartments and ballot boxes for safe keeping at a location designated by the City Clerk until the closing procedures are followed.

Procedure at the Voting Location

33.   Election Officials may be utilizing laptop computers to administer the Voters' List.

34.   Laptops used for the voter management system are connected to Voterview and operate independently from the ExpressVote Terminal and/or DS200 Vote Tabulator. The Election Official is responsible for logging into the Voterview database with a specifically assigned password.

35.   Upon presenting identification to the Election Official, the Election Official will mark the elector off on Voterview, if they are a qualified elector. If an individual presents their Voter Notification Card at the voting location a scanner may be used to select the bar code on the Voter Notification Card and to access the eligible electors at the specific address.

36.   After determining which ballot a voter is entitled to, the Election Official shall provide the voter with a Vote Card with the appropriate ward number and school support in a secrecy folder and guide them to the next available ExpressVote Terminal. The Election Official shall remain in the vicinity of the Terminal in case the voter has any questions.

37.   The Voter shall:

a)   Proceed to the ExpressVote Terminal
b)   Insert the Vote Card into the appropriate slot;
c)   Select the candidate(s) of his/her choice by pressing the in the Designated Voting Space beside the candidate's name; and
d)   After reviewing all of his/her selections, press the print button to print his/her selections on the Vote Card; or
e)   May return to the ballot screen to make changes to the selections then print the selections on the Vote Card by pressing the print button.

38.	Visually impaired voters shall have access to a headset and audio guidance system that provides an audio version of the ballot screen. This system guides the voter in making candidate selections by listening to spoken prompts utilizing a headset and keypad with braille or sip and puff. One headset and keypad for visually impaired voters will be located at each of the voting locations. One sip and puff attachment for the ExpressVote Terminals will be available upon request at each voting location.

39.	The Election Official will assist the voter in inserting the Vote Card into the ExpressVote Terminal, if required, and ensure the audio ballot is activated.

40.	If the voter wishes to cast a blank ballot for any or all offices, he or she may do so by pressing the print button without selecting any candidates and confirming this intention by pressing the print button again in response to the message asking the voter if he or she wants to cast a blank ballot.

41.	If one of the ExpressVote Terminals available in the voting place fails to operate, the Election Official shall immediately notify the City Clerk or designate.

42.	If an elector refuses to cast a ballot on the ExpressVote Terminal, the Election Official will record beside the elector's name "declined to vote" in Voterview.

43.	After marking the ballot in the Voting Booth, the voter shall:

	a)	Insert the ballot into the Secrecy Folder;
	b)	Leave the Voting Booth without delay;
	c)	Deliver the Secrecy Folder containing the ballot to the Election Official responsible for the DS200 Vote Tabulator;
	d)	Be provided the opportunity to remain to observe the ballot being fed into the Vote Tabulator;
	e)	Be provided the opportunity to insert the Secrecy Folder containing the ballot into the feed area of the DS200 Vote Tabulator until the Vote Tabulator draws the ballot from the Secrecy Folder, otherwise the Election Official shall insert the ballot on the voter's behalf.

44.	If the DS200 Vote Tabulator fails to operate, the Election Official shall:

	a)	Insert the ballot into the Auxiliary Compartment of the Ballot Box;
	b)	When the Vote Tabulator becomes operational, and as time permits and in the presence of at least one other Election Official, remove the ballots from the Auxiliary Compartment and begin inserting the ballots into the feed.

45.	If a ballot is not accepted by the DS200 Vote Tabulator because it is damaged, defective or is otherwise unreadable by the Vote Tabulator or causes the Vote Tabulator to jam and the voter who delivered the ballot is still present, the Election Official shall:

	a)	quietly advise the voter that the ballot cannot be processed by the Vote Tabulator;

	b)	ask the voter if he or she wishes another Vote Card and, if so, fold the original ballot and mark the reverse side of the ballot "cancelled" and place it in the Cancelled ballot envelope;

	c)	deliver another Vote Card to the voter; and

	d)	instruct the voter to mark the ballot in accordance with the instructions on the ballot.

46.	If the voter is present in circumstances described in paragraph 45 and declines the opportunity to mark another ballot, the designated Election Official shall mark the ballot "declined" and place it in the Declined envelope.

47.   If the voter is not present in circumstances described in paragraph 45, the Election Official shall:

    a)   Place the ballot into the Special Circumstances envelope,

    b)   As time permits and in the presence of at least one other Election Official, remove the ballot(s) from the Auxiliary Compartment and begin inserting the ballots into the feed; and

    c)   If this fails, fold the original ballot and mark the reverse side of the ballot "cancelled" and place it in the Cancelled ballot envelope.

Closing the Voting Location - Alternative Voting Opportunities

48.   At the conclusion of each of the alternative voting opportunities, an Election Official shall:

    a)   Complete a statement of the number of ballots cast displayed on the DS200 Vote Tabulator to indicate the number of electors who voted during the alternative voting opportunity. Any candidate or scrutineer present may sign the statement;
    b)   Secure the DS200, Vote Cards, Auxiliary Compartments and Ballot Boxes to prevent any further ballots from being cast; and
    c)   Return the DS200, Vote Cards, Auxiliary Compartments, Ballot Boxes to the location and person designated by the City Clerk.

49.   The total of the votes from the alternative voting opportunities shall be tallied and printed no earlier than 8:00 p.m. on Voting Day at a location designated by the City Clerk.

50.   The City Clerk shall provide notice of the location designated for this purpose.

Ballots from Roving Locations where a DS200 Vote Tabulator was not utilized

51.   At the end of voting at a Roving Location where a DS200 Vote Tabulator has not been utilized, the Election Official will seal and sign the Ballot Box and provide it to the City Clerk or designate.

52.   At a time and location designated by the City Clerk, the City Clerk shall designate an Election Official to open the ballot boxes in the presence of a minimum of at least one other Election Official, ensure a USB is placed into a DS200 Vote Tabulator and scan the Vote Cards from the Roving Location.

53.   At 8:00 p.m., the envelopes containing the USBs with the record of the ballots cast from the Alternative Voting Opportunities or Roving Locations where DS200 Vote Tabulators were not utilized, may be installed into DS200 Vote Tabulators for the unofficial results to be printed, compiled and then displayed.

Procedure for Closing the Voting Location Terminals - Voting Day (October 22, 2018)

54.   A designated Election Official shall in the presence of any candidates or scrutineers present, close the ExpressVote Terminals and DS200 Vote Tabulator at 8:00 p.m. local time or after all voters in the Voting Location have completed their voting.

55.   The designated Election Official shall close the DS200 Vote Tabulator by:

    a)   Using the Security Key activate the "Close Poll" button that appears in the Vote Tabulator administrators menu on the Screen;
    b)   Printing two copies of the results tape from the Vote Tabulator indicating the votes cast for each candidate;
    c)   Transmitting the results by modem, phone, or email;
    d)   Pressing the "Finished-Turn Off" button on the Vote Tabulator;
    e)   Completing the voting place final statement and placing the USB from the DS200 Vote Tabulator along with one copy of the results tape and the final statement in a sealed envelope; and

        f)   Personally delivering the sealed envelope, Vote Tabulator, Ballot Boxes and any other election-related materials/equipment to the location and person designated by the Clerk.

Vote Results Reporting

56.   The City Clerk will designate a location at City Hall as the Count Centre for the tabulation of the votes.

57.   The City Clerk will make available at the Count Centre adequate accommodation for each candidate who intends to view the tabulation of votes. The candidates, at least seven (7) clear days before the election must notify the City Clerk in writing of their intention to attend at the Count Centre.

58.   Where notice has been given in writing, the City Clerk shall permit a candidate's scrutineer, in the absence of the candidate to attend at the Count Centre to view the tabulation of votes.

59.   Proceedings at the Count Centre are under the direction of the City Clerk or persons designated by the City Clerk and no other person shall touch any equipment or interfere in any way with the proceedings.

60.   After 8:00 p.m. at the final close of voting on Voting Day, unofficial results will be compiled from all of the Voting Locations communicated from each of the locations by modem, phone, email and/or the delivery of the USB to the Count Centre and compiled.

61.   The process of tabulating the unofficial results from the DS200 tabulators will be based upon the time it takes to communicate the results by modem, phone, email and/or return to the Count Centre from each location and process the unofficial results. Unofficial Results will not be posted until checked

62.   The results displayed on Election Night are for information only and are unofficial. The results are not official until declared as such by the City Clerk (anticipated to occur by noon on the Thursday following Voting Day).

63.   The Council Chamber in City Hall will be used to present unofficial election results to the media and public. The Clerk shall cause vote results to be published to the City's website.

Recounts

64.   In accordance with Section 60(1) of the Act, a recount shall be conducted in the same manner as the original count.

65.   If a recount is held in the City of Barrie, the DS200 Vote Tabulators will be used in the same manner as in the original count (i.e. the ballots marked by utilizing the ExpressVote Terminal, scanned and tabulated by the DS200 Vote Tabulator will be re-scanned and tabulated by the DS200 Vote tabulator(s)).

66.   A judge may provide that a recount be held in a different manner than the original count.

Retention of Election Records

67.   The Clerk shall, at the completion of the count, secure and retain the USB Drives of each tabulator, test materials and ballots in the same manner as is provided for in the *Municipal Elections Act, 1996* for the keeping of ballots.