



**Township of Puslinch**

7404 Wellington Road 34

Puslinch, ON N0B 2J0

(519) 763-1226

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**2018 MUNICIPAL ELECTION**

**PROCEDURES  
FOR THE USE OF  
VOTE TABULATORS**

# PROCEDURES FOR THE USE OF VOTE TABULATORS

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# PROCEDURES FOR THE USE OF VOTE TABULATORS

The Clerk is responsible for the conduct of municipal and school board elections in the Township of Puslinch. In accordance with the *Municipal Elections Act*, the Clerk must establish procedures for the use of voting and vote counting equipment.

For the 2018 Municipal Election, the Township of Puslinch has contracted Dominion Voting for the provision of optical scan Vote Tabulators. This technology has a proven track record of reliability and has been used in municipal jurisdictions across Ontario and Canada.

## **DEFINITIONS**

1. In this procedure,

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

“**Audio Vote Tabulator**” means a Vote Tabulator to serve voters who cannot negotiate a paper ballot through the use of the Audio Ballot Marking Device.

“**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 and may include any question submitted to electors as authorized by the Act.

“**Clerk**” means the Clerk of the Township of Puslinch or designate.

“**Election Official**” means the person designated by the Clerk to perform certain election functions. Election Officials may include but are not limited to a Deputy Returning Officer, Tabulator Operator, Poll Manager, Greeter and Revision Officer.

“**Memory Card**” means a removable memory cartridge where all tabulated votes are stored.

“**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 but exposes the verification initials of the Election Official.

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“**Special Ballot Marking Pen**” means a pen supplied by the Election Official for the use of a voter to mark the ballot.

“**Vote Tabulator**” means an apparatus that optically scans a specified area on the ballot to read the vote(s) and tabulate the results and includes an Audio Vote Tabulator.

“**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 Township of Puslinch that has passed a by-law under section 42(1) of the *Act* authorizing the use of the vote tabulators at voting locations (By-law 003-2017).
- b) Where this procedure 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. that there be certainty that the results of the election reflect the votes cast; and,
  - vi. that voters and candidates shall be treated fairly and consistently.
- c) The Clerk may provide an Election Official with instructions and troubleshooting tips related to the operation of Vote Tabulators.
- d) The Clerk may update these procedures as required, at the discretion of the Clerk. Any updates will be circulated to all candidates.
- e) If an emergency is declared by the Clerk in accordance with *Act*, and it is necessary to amend these procedures as a result of the emergency, the Clerk will notify all candidates of the declared emergency as soon as is practicable.

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## **ELECTION OFFICIALS**

3. The Clerk shall appoint Election Officials for the purposes 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 in accordance with the general principles of the *Municipal Elections Act*.

## **BALLOTS**

4.
  - a) Composite ballots shall be used for the 2018 Township of Puslinch municipal election which shall include all eligible offices distinguished by school support type. Five ballot types 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.
  - b) There shall appear on the ballot to the right of each candidate's name, a box () designated for the marking of the ballot.
  - c) Subsection (b) applies with necessary modifications to ballots for by-laws and questions.
  - d) The instructions on the ballot direct the voter to vote by filling in or making an "X" in the box () to the right of the name of the candidate of their choice or the voter's answer to any by-law or question. Such instructions shall direct the voter to use the special ballot marking pen.

## **VOTE TABULATORS**

5.
  - a) The Township shall utilize Vote Tabulators (ImageCast Precinct) from Dominion Voting.
  - b) All voting locations shall be provided with a Vote Tabulator(s) to process ballots, with the exception of the location where reduced hours of voting has been established by the Clerk with respect to a voting place described in subsection 45(7) of the Act that is only for the use of residents of the institution or retirement home.

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## Advance Voting Location

- c) The Advance Voting location(s) shall be provided with an Audio Vote Tabulator (ImageCast Precinct – Audio Ballot Marking Device).
- d) The ImageCast Precinct – Audio Ballot Marking Device referred to as the Audio Vote Tabulator consists of the following components:
  - Tabulator Unit (Figure 1 – Appendix A)
  - A set of headphones that the voter uses to interact with the system
  - An external printer for printing the audio session ballot once the voter has made his/her selections
  - An Audio-Tactile Interface (“hand held device”), with braille markings (Figure 1.1 – Appendix A)
  - A set of hand/foot paddles
  - A sip and puff device

The accessible component (Figure 1.1 – Appendix A) will only be made available during advance voting. The unit is intended to serve voters with accessibility needs (voters who cannot mark a paper ballot with a pen and require the unit’s Audio Ballot Marking Device to generate a marked ballot).

An accessible ballot can be marked using a hand held device and headphones (or the voter may use hand/foot paddles or a sip and puff device) to navigate through the audio presentation. After the voter has confirmed their selections, the system will print a paper copy of their marked ballot for them. The paper ballot emerges from the printer into a secrecy folder, and is then inserted into the input slot at the front of the Vote Tabulator by the Election Official. The Vote Tabulator reads the ballot, stores the information, and deposits the ballot into the ballot box in the same manner as all other ballots.

## Reduced Hour Voting Location

- e) The reduced hour voting location will not be provided with a Vote Tabulator. Election Officials shall attend the reduced hour voting location during the established hours and administer the voting process. All marked ballots shall be secured for transport in a sealed ballot box to the regular voting location for that geographical area, or as designated by the Clerk, for processing through the Vote Tabulator provided to that location.

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- f) Where the voter is not present during the processing of the ballot through the Vote Tabulator, the Election Official responsible shall examine any ballot rejected by the Vote Tabulator and process the ballot in accordance with Section 11.

### **PROGRAMMING OF VOTE TABULATORS**

- 6. a) Prior to Advance Voting Day and Voting Day the Vote Tabulators shall be programmed so that a printed record of the number of votes cast for each candidate and for the answer to any by-law or question can be produced.
- b) Each Vote Tabulator shall be programmed so that the following ballots are returned to the Election Official as described:
  - i. A ballot without votes in any of the designated voting spaces (a blank ballot) as determined by a Vote Tabulator;
  - ii. A ballot with more than the required voting space(s) marked for an office than the voter is entitled to vote for (an over voted ballot), as determined by a Vote Tabulator;
  - iii. A ballot where the Vote Tabulator cannot read the marks in the appropriate voting spaces on the ballot (ambiguously marked ballot);
  - iv. A ballot which cannot be read due to markings made on the ballot other than in the appropriate voting spaces, physically damaged, or where an incorrect ballot for the voting location was issued (defective/invalid ballot);
  - v. A ballot that does not have an Election Official(s) initials in the top right corner of the ballot.

### **TESTING OF VOTE TABULATORS**

- 7. a) Prior to Advance Voting Day and Voting Day, the Clerk shall test the Vote Tabulators to ensure that they will accurately count the votes cast for all candidates, by-laws or questions.
- b) When testing the Vote Tabulator, adequate safeguards shall be taken to ensure that the system or any part of it that is used for

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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 voting location Vote Tabulator memory card into the Vote Tabulator(s) designated for that voting location; 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 and on any by-law or question;
  - iii. comparing the output of the tabulation against the pre-audited results; and,
  - iv. re-setting to zero all Vote Tabulators and 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 determined 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 Township, to represent them at the voting location.



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- b) Only one representative of the Candidate, either the Candidate or his/her appointed scrutineer may be in a voting location for each Vote Tabulator in use at the voting location at one time.
- c) Scrutineers must show their written appointment and personal identification to the Election Official(s) upon entering a voting location.
- d) Candidates must show their personal identification to the Election Official(s) upon entering a 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.

### **PROCEDURES AT THE VOTING LOCATION**

#### Vote Tabulator and Ballot Box Set-up

- 10. a) Each Vote Tabulator shall be assigned to a particular location. The Election Official responsible shall check the Vote Tabulator serial number on the machine to verify the Vote Tabulator is correct.
- b) The Election Official responsible for the Vote Tabulator shall, in the presence of other Election Officials 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.
- c) The Election Official responsible shall verify that the heading at the top of the tape lists the correct voting location. If the totals are zero for all candidates, by-laws or questions, 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.
- d) If the totals are not zero for all candidates, by-laws or questions, the Election Official shall immediately notify the Clerk and shall conduct

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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.

- e) Once the Vote Tabulator is ready, prepare 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.
- f) 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".
- g) If a candidate or scrutineer wishes to use his/her own seal, it shall be shown to an Election Official for approval before being placed on the ballot box. The seal must be a self-adhesive tape type and may not in any way identify the candidate so as to be construed as "election campaigning".
- h) Place the Vote Tabulator on the ballot box.

### 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 delivered to each voter. Prior to the Election Official issuing 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 Declaration of Identity (Form 9) before being issued a ballot. If the elector refuses to take the declaration, the elector will be refused a ballot.
- c) The Election Official shall:
  - i. initial each ballot and select the poll number 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.

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- 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 or answer to the by-law or question.
- 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 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 handling 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 ballot issuing Election Official; 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

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face down, directly into the auxiliary compartment of the ballot box in full view of the elector; and

- b. at the close of 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 these procedures, 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 ambiguous;
  - iv. any ballot which is invalid, damaged or defective; or
  - v. any ballot which does not contain the Election Official's initials.
  
- h) Where a ballot described in sections 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 shall direct the voter to return the ballot to the ballot issuing Election Official who shall mark the ballot "cancelled", 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 a 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.

- 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 ambiguous (i.e. the mark is too light, or a small mark was made in a

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box inadvertently). The Election Official may direct the voter to a voting booth to ensure the ballot is clearly marked in the spaces provided. If the voter has inadvertently made a small mark in a box where they had not intended to, the Election Official shall direct the voter to return the ballot to the ballot issuing Election Official who shall mark the ballot “cancelled”, 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.

- j) If a ballot described in section 11 g) iv, 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 “cancelled – defective”, 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.
- k) If a ballot described in section 11 g) v, 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.
- l)
  - 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 any 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, iv or v, 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 “defective-rejected” and placed in the

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appropriate envelope. The Vote Tabulator will not accept invalid, damaged or defective ballots. The Election Official responsible shall mark the ballot “defective-rejected” and place it in the appropriate envelope.

- iii. If a ballot described in section 11 g) i, ii, iii, iv or v, 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 mark the top of the ballot “blank” and 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, mark the top of the ballot “over-voted” and 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:
    - i. mark the ballot “cancelled-defective-replacement” and issue a replacement ballot, in presence of an Election Official and any candidate(s) or scrutineer(s) present by marking a new ballot with the marks contained in the specified voting spaces on the original ballot. The replacement ballot shall be clearly labelled “replacement” and given a number which shall also be recorded on the cancelled defective-replacement ballot;
    - ii. substitute the replacement ballot for the original cancelled defective-replacement ballot and insert the replacement ballot into the feed area of the Vote Tabulator, and,
    - iii. place the cancelled defective-replacement ballot in the appropriate envelope; and

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- iv) if the marks are ambiguous mark the ballot “defective – rejected” and place in the appropriate envelope.
- d. where the ballot is invalid (contains writing or marks that may identify the elector), mark the ballot “defective-rejected” and place in the appropriate envelope.
- e. where there are no Election Official’s 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 there is a Vote Tabulator blockage, the display will show a message i.e. Paper Jam. The Election Official shall advise the voter that the ballot 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) Determine if the ballot is visible at either the front ballot entry slot or the rear ballot exit slot while referring to the message on the screen;
  - b) Press the “Cleared” button to initiate an automated ballot reversing procedure. Follow the message on the screen;
  - c) Remove the ballot from the Vote Tabulator and insert the ballot into the secrecy folder;
  - d) Follow the instructions on the screen display for the purpose of processing the ballot.

If the Vote Tabulator continues to reject 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 rejected ballot as a cancelled ballot and the voter shall be issued a new ballot.

If the display screen reveals a message i.e. Paper Jam still exists... press the “Shut Down” button to turn off the Vote Tabulator.

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It may be necessary for the purpose of clearing a jam to slide the ballot box out two or three inches from the base of the Vote Tabulator, and subsequently return the Vote Tabulator to the proper position. Restart the Vote Tabulator.

If the Vote Tabulator continues to reject ballots, the Election Official shall notify the Clerk immediately.

### If the Vote Tabulator Becomes Inoperable

13. If the Vote Tabulator becomes inoperable for any reason during voting (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 occurs, the Election Official shall:
    - i. notify all Election Officials and candidates/scrutineers present 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 auxiliary compartment shall then be sealed against further use, with the time and initials of the Election Official noted on the seal in addition to any candidates or scrutineers present. The seal shall remain intact until the close of voting unless the auxiliary compartment is required at another time throughout voting day at which time the seal will be broken in the presence of any candidates and scrutineers present.
  - d) 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.
  - e) At all times, the number of ballots that have passed through the Vote Tabulator is displayed on the Vote Tabulator counter. An Election Official shall record these numbers on the form provided, each and every hour while the voting location is open.



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## PROCEDURES AT ADVANCE VOTING

### Opening Advance Voting Location

14. a) The Election Official responsible shall follow the Procedures at the Voting Location – Section 10 and the Audio Vote Tabulator Procedures.
- b) 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.

### Audio Vote Tabulator Procedures at Advance Voting Location

- c) If a voter requests an accessible ballot, the Election Official shall position the voter near the Audio Vote Tabulator. The assistive devices are connected to the 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 hand held device (or alternatively, a set of hand/foot paddles or sip and puff device). The Election Official shall position the secrecy folder at the printer exit slot to receive the ballot as it is printed.
- d) In order to start the audio presentation, the Election Official responsible must press the security key to the security key pad on the Vote Tabulator.
- e) The on-screen menu of the Vote Tabulator will display a number of administrative options. “Accessible Voting” or “Audio Voting” shall be selected by the Election Official and then the appropriate ballot type (school support) shall be entered in order to indicate the type of ballot that the voter is eligible to receive.
- f) When the voter has made and confirmed all their vote selections, they will use the hand held device (or alternatively, a set of hand/foot paddles or sip and puff device) to command the Audio 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 will then place their initials and select the poll

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information on 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 Section 11.

- g) If at any point an audio voting session must be cancelled, the Election Official shall perform the following steps:
  - i. Press the security key to the security key pad, to display the operator screen menu.
  - ii. Press **Accessible Voting or Audio Voting** button.
  - iii. Press **Yes or Cancel Audio** to stop the Accessible Voting Session.
- h) The audio voting session is then cancelled and the voter shall be provided with the opportunity to recommence the process or obtain a replacement ballot from the Election Official.
- i) The external ballot printer will be connected to the Vote Tabulator prior to powering on the Vote Tabulator (during voting location set up). Should there be any problems with the printer, it shall be unplugged and plugged back in. If a problem persists, the Election Official shall contact the assigned Election Official and repairs will be undertaken or a new printer may be issued.
- j) While an accessible voting session is underway the Vote Tabulator can continue processing ballots of other voters.

### Procedures for Closing of Advance Voting Location

- k) The Election Official shall, after the close of the Advance Voting Day, 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. the Election Official 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. date, label and seal the ballot box;
  - iii. Power down and then unplug the Vote Tabulator and place it in the carrying case provided;

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- 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;
- vii. an Election Official shall secure the ballots and Vote Tabulator in a location where no one other than the Clerk may gain access;
- viii. 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 or his/her scrutineer entitled to be in attendance may be present.

### Procedures for Each Subsequent Advance Voting Day

- l) The Election Official responsible shall follow the Procedures of Advance Voting (Section 14) and Vote Tabulator and Vote Tabulator and Ballot Box Set-up (Section 10) with the following modifications:
  - i) Place the zero totals tape from the tabulator box on the wall in the voting location;
  - ii) Confirm the zero totals tape from the previous advance voting day remains affixed to the Vote Tabulator until the results are printed by the Vote Tabulator after the close of voting;
  - iii) Confirm the number of voters who voted during the previous advance voting day as noted on the statement of Voter Turnout matches the number on the Vote Tabulator.

### **PROCEDURES FOR CHANGING THE BALLOT BOX, IF NECESSARY**

- 15. The Election Official shall periodically check the ballot box by slightly moving it to ensure that it is not getting too full. If it appears to be getting full, please use the following procedure:
  - i. 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;

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- ii. Remove the ballot box and seal the ballot slot on the box with the appropriate seal and initial;
- iii. Place the full ballot box beside the Vote Tabulator and write the poll numbers, date and note Box 1 of 2 on the ballot box and place initials on box;
- iv. 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;
- v. Position the new ballot box under the Vote Tabulator and continue the processing of ballots.

### **PROCEDURES FOR CLOSING VOTE TABULATORS ON VOTING DAY**

16. 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 procedure 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 using the security key with the sensor. The close option will be selected, generating instructions for the Election Official;
    - ii. print two copies of the results tape from the Vote Tabulator indicating the votes given for each candidate, and if applicable, the votes given for and against any by-law or question;
    - iii. remove the two copies of the results tape from the Vote Tabulator and sign the certificate portion of the two copies along with any candidates or scrutineers who are present and wish to sign;

## **PROCEDURES FOR THE USE OF VOTE TABULATORS**

- iv. place the first copy of the results tape that includes the zero total printout, any interrupt messages and votes in the statement envelope provided;
- v. post the second copy of the results tape in the voting place for any candidates or scrutineers to view;
- vi. date, label and seal ballot box;
- 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. cancelled ballots,
  - d. declined ballots,
  - e. defective-rejected ballots, and,
  - f. 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 Voters' List and the certificate and receipt of ballots, in the appropriate envelope and seal the envelope;
  - b. place in separate envelopes:
    - all cancelled ballots
    - all defective-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,

## **PROCEDURES FOR THE USE OF VOTE TABULATORS**

- 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 scrutineer(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. date, label and seal the ballot box;
  - iii. place all remaining supplies and all cancelled, declined, defective-rejected and unused ballots in the appropriate envelopes in the supply bag and seal it;
  - iv. advise candidate(s) or scrutineer(s) of the process to be followed;
  - v. 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;
  - vi. 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;
  - vii. insert all the ballots from the ballot box into the back-up vote tabulator;
  - viii. follow the applicable procedures for the tabulating of ballots, as required; and
  - ix. follow the closing procedures in section 16.

# PROCEDURES FOR THE USE OF VOTE TABULATORS

## **RESULTS**

17. 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 Township 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 result of any vote on a by-law or question.

## **RECOUNTS**

18. 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 Tabulators shall be tested before the recount in the same manner described in section 7.
19. 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 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 the advance voting and 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.

## **PROCEDURES FOR THE USE OF VOTE TABULATORS**

- e) If a Vote Tabulator is used for a recount, any candidate or court applicant or their lawyer(s) or scrutineer(s), will not be permitted to examine the ballots or to dispute the validity of a ballot or the counting of votes on a ballot as the ballots are being fed into the Vote Tabulator by the Election Official.

### **DEMONSTRATION OF VOTE TABULATORS**

- 20. Candidates may attend a demonstration of the Vote Tabulators. The Clerk shall give adequate notice of the date, time and location of a demonstration provided by Dominion Voting, the supplier of the Vote Tabulators or by Township staff.

### **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.



# PROCEDURES FOR THE USE OF VOTE TABULATORS

## APPENDIX A

**Figure 1 – ImageCast Precinct Tabulator**



**Figure 2 - Audio Tactile Interface ('Hand Held Device')**

# PROCEDURES FOR THE USE OF VOTE TABULATORS

