

THE CORPORATION OF THE TOWNSHIP OF HORTON

BY-LAW NUMBER 2014-30

Being a By-law to authorize voting by mail for the 2014 Municipal Election and the entering into of an agreement with Data Fix to provide Vote by Mail services.

WHEREAS Section 42 on the *Municipal Elections Act, 1996* provides that a municipal council may pass a by-law authorizing an alternative voting method;

AND WHEREAS the Council of The Corporation of the Township of Horton deems it appropriate and in the public interest to conduct the 2014 Municipal Election using a vote by mail method and to contract with Data Fix to provide election services;

THEREFORE, the Council of the Corporation of the Township of Horton enacts as follows:

1. The alternative voting method of "Vote by Mail" is hereby authorized for the Municipal Election to be held in 2014.
2. A Vote by Mail Kit will be provided to every person who qualifies to be an elector. The Kit will either be mailed or directly provided to each qualified elector.
3. The Vote by Mail Kit shall consist of:
 - A voting instruction sheet
 - A composite ballot
 - An inner ballot envelope
 - A security slip
 - An outer return envelope
 - Such other necessary material as the Municipal Clerk determines
4. A Ballot Return Station shall be established at the Municipal Office on the following dates and times:
 - a) Tuesday September 29th 2014 to Friday October 24th 2014 from 8:30 am to 4:00 pm
 - b) Monday October 27th 2014 from 10:00 a.m. to 8:00 p.m.
5. Ballot Return Station means a voting place under the supervision of a Deputy Returning Officer where electors, who prefer to deliver or have delivered their completed ballots, may deposit their ballots directly into the care of the Municipal Clerk rather than forwarding their ballots by mail.
6. Every elector has the responsibility of completing the ballots in accordance with the *Municipal Elections Act, 1996*, and the procedures authorized by this By-law and returning the completed ballots to the Municipal Clerk by mail or by deposit at a Ballot Return Station on or before 8:00 p.m. on Voting Day.
7. No proxy voting provisions or advance voting provisions other than Ballot Return Stations are applicable at Municipal Elections conducted in accordance with this By-Law.
8. The Clerk's procedures and rules for the Municipal Election, authorized by Sections 11, 12, 13 and 42 of the *Municipal Elections Act R.S.O. 1996*, are annexed hereto as Appendix "A", but in accordance with the *Municipal Elections Act R.S.O. 1996* as amended, the Clerk may vary the procedures from time to time as appropriate.
9. Any person, corporation or trade union guilty of corrupt practices or contravening the provisions of the *Municipal Elections Act, 1996*, or the procedures and rules as established in paragraph 8 of this By-law may be prosecuted pursuant to the provisions of the *Municipal Elections Act, 1996*.
10. The Mayor and Municipal Clerk are herewith authorized to sign the necessary agreement with Data Fix to provide Vote By Mail services.
11. This By-Law shall take effect on the date of final passing thereof.
12. By-law 2010-17 shall be rescinded in its entirety.

READ a first and second time this 6th day of May 2014.

READ a third time and finally passed this 6th day of May 2014.

MAYOR

CAO/CLERK

THE CORPORATION OF THE TOWNSHIP OF HORTON

APPENDIX "A" TO BY-LAW 2014-30

Clerk's Rules and Procedures, Municipal Elections, 2014

ELECTION PERSONNEL:

The Clerk may appoint, in writing, Deputy Returning Officers and such other officials as required to assist in administration of the election process, including but not limited to, revising the voter's list, management and control of the mail vote system, security of the election, counting of ballots, tabulating results, issuance of notices and printing of materials. Written appointment of election officials and delegations of duties shall include the authority to require a person to furnish proof of identity or qualifications pursuant to the Municipal Elections Act R.S.O. 1996.

REVISION OF VOTERS LIST PROCEDURE:

The period for revisions to the voter's list is from September 2th, 2014 to the close of voting on October 27th, 2014. Nomination day, September 12th, 2014 is the deadline for making application for removing another persons' name from the voters list. Revisions of the voters list will be made at the municipal office, 2253 Johnston Road, R. R. # 5 Renfrew, Ontario, on forms available from the Clerk, during regular office hours up to voting day, and until close of voting, 8:00 PM October 25th, 2014 at the Voting Day Ballot Return Station.

Applications for revision to the voter's list may be filed in person or by mail by the applicant or by his/her agent.

VOTE BY MAIL PROCEDURE:

The Clerk, no later than seventeen days after Nomination Day, shall mail or cause to be mailed, to every elector on the Voters List on the date of mailing, a complete voters package and thereafter the Clerk shall at the time of adding an elector to the Voters List, deliver or cause to be delivered to the elector, a complete voters package

Ballots received by the Clerk after 8:00 PM on Voting Day shall not be counted and shall be treated as rejected ballots, placed in a sealed box and retained for the statutory document retention period.

A separate voting package is required from each individual elector. Packages which contain more than one identification slip, ballots from another elector or more than one inner ballot envelope shall be treated as rejected ballots.

Voting packages shall be mailed to the elector's address as shown on the voter's list. Electors wishing to redirect voting packages to an alternate address must make the request in writing to the Clerk on a form available from the municipal office, not later than September 24th.

The vote by mail procedure is as follows: Upon receipt of the voting package, the elector shall complete the ballot(s), insert the ballot in the secrecy envelope, seal the secrecy envelope, place the secrecy envelope in the return envelope, complete the Voter Declaration Form and insert it into the return envelope. The elector shall then seal the return envelope and mail or deliver it to the Advance Ballot Return Station prior to voting day or deliver it to the Voting Day Return Station on voting day.

If an elector on, or added to the voters list does not receive a voting package, or if the package is lost or destroyed, a replacement package may be issued. The elector may attend at the township office to obtain a replacement package. The Clerk or designate will confirm that the elector is qualified, administer an appropriate oath, note on the voters list that a replacement package has been issued, and issue the replacement package.

Each day, as return voting packages are received at the municipal office, designated staff will remove the ballot envelope and voter identification slip and update the voters list by striking off the name of the voter. Sealed ballot envelopes will be sorted according to poll and placed in a secure drop box. A ballot envelope that has marks which may identify the elector will be rejected, marked accordingly, and kept

separately in a secure drop box. If, upon opening the Return Vote Envelope the Ballot Secrecy Envelope has not been sealed, the Clerk may seal the envelope without examining the ballot. At the end of each day the Clerk or designated official shall affix a seal to each of the poll drop boxes, initial the seal and place the sealed drop boxes in a secure place. Each morning the Clerk or designate shall retrieve the drop boxes, inspect the seals to ensure they are intact, and in the presence of another staff member break the seals to access the slots for use during the day. After 8:00 PM on voting day the boxes will be sealed and transferred to the care of the Clerk or designate, who shall transport them to a designated secure counting area.

Should a voting package be returned to the municipality as "undelivered", it shall be marked invalid and stored in a separate, sealed drop box, under the care of the Clerk. A new ballot shall be issued to the elector once proper mailing address has been established. It is the responsibility of the elector to ensure that the Clerk is aware of their proper mailing address.

ADVANCE BALLOT RETURN STATION:

For the time period from the mailing of the voter packages by Data Fix to 8:00 PM on voting day, the municipal office located at 2253 Johnston Road, R. R. # 5 Renfrew, Ontario shall, during normal office hours, serve as the Advance Ballot Return Station.

VOTING DAY BALLOT RETURN STATION:

The Voting Day Ballot Return Station on October 27, 2014, shall be located at the Municipal Office, 2253 Johnston Road, R. R. # 5 Renfrew, Ontario from 10:00 AM to 8:00 PM.

COUNTING OF VOTES:

The ballot counting shall take place in two separate locations. The ballot counting centre for the ballots received on Voting Day shall be located at the Municipal Office 2253 Johnston Road, R. R. # 5 Renfrew. The ballot counting centre for the ballots received up to the end of the business day on October 24, 2014 shall be located in the Horton Community Centre located at 1005 Castleford Road.

At 8:00 PM on Voting Day, the ballot envelope drop boxes containing the votes received during Voting Day shall be opened, and ballots removed from the envelopes and counted. Counting of the ballots and completion of the statements of results shall be undertaken by counting teams appointed by the Clerk. The procedure for counting of votes and disposition of all election materials shall proceed as set out in Section 54 and 55 of the Municipal Elections Act R.S.O. 1996.

At 6:45 PM on Voting Day, the ballot envelope drop boxes containing votes received prior to the end of the business day on October 24, 2014 shall be transported by the Clerk to the Horton Community Centre. All election staff, certified candidates or authorized scrutineers are to be present in the Horton Community Centre by 7:00 PM at which time the Clerk will sequester the room, locking the doors and securing all cell phones and communication devices. At 7:30 PM the ballot envelope drop boxes will be opened, and ballots removed from the envelopes and counted. At no time will a person have access to the outside of the building or to their cell phone or communication device until after 8:00 PM or when the counting of the ballots has been completed and completion of the statements of results completed.

Pursuant to the Municipal Elections Act, only the Clerk, Deputy Returning Officer and any other appointed election official, certified candidates or authorized scrutineers may be present in the ballot counting centres during the counting of the votes.

SCRUTINEERS:

A certified candidate may appoint, in writing, scrutineers to be present during voting and the counting of votes including daily receipt of return ballot packages and updating the Voters List accordingly. A scrutineer shall, on request, show proof of appointment to the Clerk or designate. One scrutineer for each candidate is permitted for each ballot drop box in the returning stations or counting centre, but the appointed scrutineer must remove themselves while the candidate who appointed them is present at the designated places.

ANNOUNCEMENT OF RESULTS:

Unofficial results of the counting will be posted at the Horton Council Chambers located at 2253 Johnston Road, R. R. # 5, Renfrew, Ontario following conclusion of the counting by the counting teams. Official results shall be announced and posted by the Clerk at the municipal office on October 28th, 2014.