

THE CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY

BY-LAW No 2013-051

**Being a by-law to authorize voting by mail for the 2014 Municipal Election**

**WHEREAS** Section 42 of the Municipal Elections Act R.S.O. 1996 as amended, provides, that a municipal council may pass a by-law authorizing an alternative voting method;

**AND WHEREAS** Council deems it appropriate and in the public interest to conduct the 2014 Municipal Election using a vote by mail method;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY HEREBY ENACTS AS FOLLOWS:**

1. The alternative voting method of voting by mail is hereby authorized for the Municipal Election to be held in 2014.
2. In this by-law, words shall have the same meaning as defined or set out in the Municipal Elections Act R.S.O. 1996 as amended, and in addition, the following area defined.

**Advanced Ballot Return Station** means a voting place where electors, who prefer to deliver or have delivered their completed ballots, may deposit the ballots prior to Voting Day directly into the care of the Clerk, or authorized designate, rather than forwarding their ballots by mail.

**Voting Day Ballot Return Station** means a voting place where electors who prefer to deliver or have delivered their completed ballots, may deposit their ballots on Voting Day directly into the care of the Clerk, or authorized designate, rather than forwarding their ballots by mail.

**Complete Voting Package** means the set of documents mailed to each elector at the elector's address on the revised voter's list or such revised address as is authorized by the elector in writing to the Clerk on or before Nomination Day, including;

- voting instruction sheet
  - ballots
  - secrecy envelope
  - return envelope
  - voter declaration form
  - such other material as the clerk deems necessary
3. It is the responsibility of every elector to complete the ballots in accordance with the Municipal Elections Act R.S.O. 1996 as amended, and the procedures authorized by the by-law and to return the completed ballots to the Clerk by mail, or by deposit at an Advance Ballot Return Station or a Voting Day Ballot Return Station, on or before 8:00 PM on Voting Day.
  4. No proxy voting provisions are applicable at Municipal Elections conducted in accordance with this by-law.
  5. 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

6. Any person, corporation or trade union found guilty of corrupt practices or contravening the provisions of the Municipal Elections Act R.S.O. 1996 as amended, may be prosecuted pursuant to the provisions of the said act, Sections 89 to 94 inclusive.

This bylaw shall take effect on the date of final passing thereof.

READ A FIRST AND SECOND TIME THIS 1<sup>st</sup> DAY OF OCTOBER, 2013.

READ A THIRD TIME AND PASSED THIS 1<sup>st</sup> DAY OF OCTOBER, 2013.

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Mayor Jennifer Murphy

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C.A.O. Bryan Martin

THE CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY

APPENDIX "A" TO BY-LAW 2013-051

**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 12<sup>th</sup>, 2014 to the close of voting on October 27<sup>th</sup>, 2014. Nomination day, September 12<sup>th</sup>, 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, 49 Bonnechere St. Eganville, ON, on forms available from the Clerk, during regular office hours up to voting day, and until close of voting, 8:00 PM October 27<sup>th</sup>, 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 ten 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.

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 ward and placed in a secure drop box. A ballot envelope which is not sealed, or has marks which may identify the elector will be rejected, marked accordingly, and kept separately in a secure drop box. At the end of each day the Clerk or designated official shall affix a seal to each of the ward 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, 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 by Canada Post of the voter packages to 4:00 PM on voting day, the municipal office located at 49 Bonnechere Street, Eganville, ON shall, during normal office hours, serve as the Advance Ballot Return Station.

**VOTING DAY BALLOT RETURN STATION:**

The Voting Day Ballot Return Station shall be located at the Royal Canadian Legion, Veteran’s Way, Eganville, ON from 10:00 AM to 8:00 PM.

**COUNTING OF VOTES:**

The ballot counting centre shall be located at the Royal Canadian Legion. At 8:00 PM on Voting Day, the ballot envelope drop boxes shall be opened, and ballots removed from the envelopes. 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.

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 centre 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 number of scrutineers is reduced by one 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 Royal Canadian Legion 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 28<sup>th</sup>, 2014