

TOWN OF BLIND RIVER

2022

MUNICIPAL ELECTION

PROCEDURES



Approved by the Clerk / Returning Officer of
The Town of Blind River this 28 day of April 2022

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Definitions

“Act” means the Municipal Elections Act 1996, SO 1996 c.32 as amended.

“Ballot” means either an image on a computer screen for offices in an election to be voted for, including all choices available to the voters and containing spaces in which the voters mark their votes; or when voting using a touchtone telephone, an audio set of instructions describing all choices available to the voters and how to make their selection by pressing the numbered touchtone keypad.

“Candidate” means a person nominated under s.33 of the Act.

“Certified Candidate” means a candidate whose nomination was certified by the Clerk under s.35 of the Act.

“Clerk” means the Clerk of the Town of Blind River who is responsible for conducting this election under the authority of the Act.

“Election” means the 2022 School Board and Municipal elections conducted by the municipality.

“Election Official” means the Clerk or other person 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 under s.15 of the Act.

“Friend” means any person who is requested by an elector to assist him or her in the voting process.

“Help Centre” means a location designated by the Clerk where individuals may be added to the Voters' List and to provide assistance and clarification on the election process, including the access to a telephone and/or the internet. The ability to vote at the Help Centre will be limited to hours designated by the Clerk.

“Municipal Office” means the Town of Blind River administration building located at 11 Hudson Street, Blind River, Ontario.

“Nomination Day” means the deadline to file a nomination for a regular election, which is August 19, 2022.

“Password” means an additional access control word assigned by Scytl Canada Inc. to each authorized user to provide additional security for access to the voting system.

“Preliminary List of Electors” or “PLE” means a list of electors for the Municipality compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the Municipality by July 31st of an election year under s.19 of the Act.

“Proof of Identification” means proof of identity and residence as prescribed in O. Reg. 304/13 of the Act. Appendix A.

“Regular Office Hours” means Monday to Friday, 10:00 am to 4:00 pm.

“**Scrutineer**” means an individual, appointed in writing by a certified candidate, to represent him or her during the election.

“**Time/Clock**” means the time as indicated on the National Research Council Canada Web Clock showing official times for the Eastern Time Zone.

“**Voter Credentials**” means unique multiple digit number or numbers assigned to each voter to provide security for access to the voting system.

“**Voter Information Letter**” means a letter mailed individually to every elector containing voting instructions, including a Personal Identification Number (PIN) and other relevant information.

“**Voters’ List**” means the Preliminary List of Electors, as corrected by the Clerk, under the provisions of s.19 and s.22 of the Act.

“**Voting Day**” means the final day on which the vote is to be taken in an election and shall be Monday October 24, 2022 with the close of voting to be at 8:00 pm.

“**Voting Period**” means the period in which an eligible voter may cast their vote, either via internet or telephone and shall span from October 11 at 9:00 am to October 24, 2022 at 8:00 pm.

“**Website**” means the designated municipal website for election information.

References in these procedures

References to section numbers in this document (shown sometimes as s.##) refer directly to sections in the *Municipal Elections Act 1996, SO 1996 c.32* as amended. Unless otherwise stated, references to Ontario Regulations (O. Reg) are regulations made pursuant to the *Municipal Elections Act*.

Authority (s.42)

A by-law authorizing internet/telephone voting must be passed on or before May 1 in the year before the year of the election.

On February 7, 2022, By-law No. 2022-12 (attached) was passed authorizing the use of internet/telephone voting methods for municipal elections.

In keeping with s.42 (5) voting proxies will not be used or permitted with this method of voting. In addition, the Voting Period provides for voting in advance of Voting Day commencing October 11, 2022, at 9:00 am and concluding on October 24, 2022 at 8:00 pm.

Duties and Powers of the Clerk

The Clerk is responsible for conducting the election, including responsibility for:

- a) preparing for the election;
- b) preparing for and conducting a recount in the election;

- c) maintaining peace and order in connection with the election; and
- d) in a regular election, preparing and submitting the accessibility report.

The Clerk may provide for any matter or procedure that:

- a) is not otherwise provided for in an Act or regulation; and
- b) in the Clerk's opinion, is necessary or desirable for conducting the election.

Service Provider

The service provider for internet/telephone voting is Scytl Canada Inc. A copy of the contract with Scytl Canada Inc. is available from the Clerk upon request.

System Integrity

The integrity of the voting process shall be the responsibility of the Clerk and shall be preserved by:

- ensuring that every eligible elector on the Voters' List, as amended, is sent a sealed Voter Information Letter containing the voter's unique PIN, by first class mail;
- ensuring that no one except the Clerk, or designate, can access PINs maintained by Scytl Canada Inc. that match each voter's name and address; and
- providing an opportunity for eligible electors to be added to the Voters' List or to make amendments to the list, up to and including Election Day, October 24, 2022, at 8:00 pm.

System Checks

Logic and accuracy testing of the voting system will take place in advance of the vote at dates to be determined by the Clerk. The logic and accuracy testing session will be open to candidates, who will be notified of the dates/times/places that testing will be conducted.

Security and Integrity

The Scytl Invote Gov system provides a layered and comprehensive set of security controls for the end-to-end Electronic Voting process including: end to end encryption, digital signatures, and certificates, mixing and anonymized decryption, and end to end verifiability (individual and universal, counted as recorded).

These security features align with international best practices in the field of Electronic Voting and the recommendations set out by Elections Ontario.

Secrecy

All Election Officials shall take an oath of secrecy and be appointed by the Clerk as per the "Appointment and Oath of Election Official" Form EL11.

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, the Clerk shall take such actions as deemed necessary, including reporting to the police, for further investigation and prosecution.

Unofficial List of Candidates

The Clerk shall provide notice of the unofficial list of candidates by preparing and posting in the Municipal Office and on the website an "Unofficial List of Candidates" which is to be updated as each Nomination Paper is filed. The list should be clearly marked "Unofficial". The Clerk must obtain authorization from the candidate to post their personal information, such as their addresses. The list is indicated as "unofficial" until the nominations have been certified.

Preparation of Voter Information Letters

The Voter Information Letters will be prepared using the Voters' List as amended.

Voter Information Letters shall be delivered to Canada Post and distributed by first class mail to all eligible electors to enable them to use the Telephone / Internet Voting service.

The Voter Information Letter will contain:

- the elector's Voter Credentials, the telephone number to call to cast his or her vote by telephone and the designated internet address (URL) to access to cast his or her vote using the Internet;
- instructions on how to vote;
- dates and hours of voting;
- the location and telephone number of the Help Centre;
- voter eligibility criteria;
- office and candidate information; and
- information on illegal and corrupt practices as specified by the Act.

A person cannot give his/her/non binary Voter Information Letter to another eligible elector for the purpose of voting. Acceptance and/or use of another person's Voter Information Letter including the actual voting thereof will be considered an illegal and corrupt practice and therefore subject to the penalty provisions under the Act, specifically s.89 and s.90.

Public Information Sessions

Public information session(s) will be held for the purpose of explaining the method of voting and responding to questions from the electorate. The sessions will be advertised and noted on the Website.

Help Centre (11 Hudson Street)

Eligible voters who attend at the Help Centre and are not on the Voters' List will be able to be added to the list by filling out an "Application to Amend Voters' List" Form EL15 and providing proof of identity and residence as prescribed in O. Reg. 304/13. Their names will be added to the Voters' List and they will be assigned and delivered a Voter Information Letter containing Voter Credentials.

Eligible voters who attend at the Help Centre will be able to request a replacement Voter Information Letter under certain circumstances:

- 1) Where a person on the Voters' List has lost or not received his or her Voter Information Letter and the PIN has not been used, he or she can attend the Help Centre and prove to the satisfaction of the authorized Election Official that they require a new PIN. The authorized Election Official will disable the elector's assigned PIN. Upon providing proof of identity and residence as prescribed in O. Reg. 304/13 to an Election Official, an oath on "Application for Re-Issue of a Voter Information Letter (Lost and Unused)" Form EL53 shall be taken by the elector and a new Voter Information Letter containing a new PIN shall be issued.
- 2) Where a person on the Voters' List has attempted to vote and their PIN has already been used, he or she can attend the Help Centre and prove to the satisfaction of the authorized Election Official that they did not vote using the PIN and require a new PIN. Prior to issuing a new PIN, the Election Official shall advise the elector that once the new PIN has been assigned, the elector must vote immediately at the Help Centre. Upon providing proof of identity and residence as prescribed in O. Reg. 304/13 to an Election Official, an "Application for Re- Issue of a Voter Information Letter (Used by an Impostor)" Form EL54 shall be taken by the elector and a new Voter Information Letter containing a new PIN shall be issued. The elector will be directed immediately to the Help Centre where telephone/internet access is available to eliminate any further misuse of the PIN.

A candidate or his or her scrutineer is permitted to attend the Help Centre to observe the voting procedure.

The Voters' List

The Municipal Property Assessment Corporation (MPAC) is responsible for supplying the Town of Blind River with the Voters' List for Municipal and School Board Elections.

The Voters' List for the 2022 Municipal and School Board Election will be a live web-based

list and will be hosted by DataFix.

When a Voter casts an Electronic Ballot (online or via telephone), their name will be automatically struck off the Voters' List and the Voter will be shown as having voted. The date and time the Voter is struck off the list will be recorded. The manner in which a Voter casts their Ballot (Electronic or Telephone) will also be recorded. A Voter is only entitled to vote once in an Election and once they have cast their Ballot in their chosen method the Voter will be marked as having voted and will be ineligible to cast another Ballot.

Revisions to the Voters' List

If a person qualifies as a Voter and their name has been omitted from the Preliminary Voters' List or their information is incorrectly shown, they must file an Application to Amend Voters' List in the form specified by the Clerk, during the period from September 1, 2022, to Monday, October 24, 2022 (Election Day).

The voter will be required to make an application in person to update or correct their information on the Voters' List.

Voters appearing in-person to have themselves added or their information amended on the Voters' List will be required to attest to their identity and the Election Official will confirm that the person who is making an Application to Amend the Voters' List meets the requirements for Voters as described in the *Act*. Where applicable, a replacement Voter Information Letter may be issued. See Appendix A for list of acceptable forms of identification.

Distribution of the Voters' List to Candidates

In accordance with Section 88(11) of the *Act*, the Voters' List is to be used only for the purposes of the Election and must not be publicly posted or otherwise made available. The Voters' List will be made available to certified Candidates or their designated Official Agent.

The Preliminary List of Electors, showing the names, addresses, and School Board support of all persons entitled to vote in the 2022 Municipal and School Board Election in the Town of Blind River, will be provided to all certified Candidates or their Official Agent on the date prescribed by the legislation.

Throughout the voting period, the Voters' List will continue to be made available to Candidates and will be updated daily.

Immediately following Election Day, Candidates are required to destroy any copies of the Voters' List and any data containing voter information that is in their possession. The Voters' List and information must be destroyed in a secure manner that protects the privacy of the citizens named on the Voters' List.

Candidates may return their lists to the Clerk for destruction.

Candidates – Access to 'Strike Off' List

During the Voting Period, Candidates that request it will receive an updated list showing the names of those electors that have cast a ballot.

Voting

Voting will commence on October 11, 2022 at 9:00 am and will continue 24 hours per day through to October 24, 2022 at 8:00 pm.

During the Voting Period, the Help Centre will be provided at:

- Town Hall, 11 Hudson Street, Blind River,

The Help Centre shall have access to a telephone and the internet. Any telephone provided at the Help Centre shall delete any display options on the telephone.

The Help Centre shall be open during hours designated by the Clerk.

Prior to the activation of the system by the Clerk, on October 11, 2022 (9:00 am), the Clerk, and/or her designate, and any other authorized Election Officials, and those candidates/scrutineers in attendance shall confirm that all candidates' names are listed and that no votes have been cast. The system will not be activated until confirmation that all the counts associated with each of the candidates' names indicate a "0" total.

A report will be printed indicating the "0" totals. The Clerk and any other Election Officials present will sign the "0" totals report. Candidates and scrutineers present will be encouraged to sign the "0" totals report.

The voting system will allow the eligible elector to vote using a telephone or the internet. A voter must complete the races utilizing one of the two channel options.

Eligible electors may telephone a designated toll-free number to cast their vote by using a cellular or land line touch-tone telephone but **not a rotary dial telephone**.

Alternatively, eligible electors will be able to access a designated internet address and cast their vote.

Every eligible elector shall be limited to one ballot for all races and questions for which they are entitled to vote, through the use of voter credentials distributed by first class mail in a sealed and personalized Voter Information Letter.

Prior to voting, electors will be required to confirm that they are an eligible voter, complete a security prompt and key in their voter credentials.

Once a voter has made a selection for each race or question, the voting system shall indicate the voter's choice and shall allow the voter to either confirm their selection, and cast their vote, or return to the race to change their selection. If the selection of a particular race is not marked, a vote is not cast for that race.

Once the voter credentials are used to complete voting and a ballot is cast, the credentials cannot be used again and further access shall not be granted to the voting system.

The names of voters who have voted during the voting period will be provided to the Clerk electronically through the ScytI Voting System. **It is not possible to determine how a voter has voted.**

Disruption of Voting

When a Voter is timed out by default or if the session is interrupted or terminated (intentionally or not) before the final Ballot is cast then no information is stored in the voting client or in the server and no votes are recorded or cast. This practice guarantees the Voter's privacy at all times. Therefore, the voter whose session has been disrupted has to authenticate again and start the voting process from the beginning. The Electronic Voting system will time out after 15 minutes when there has not been any activity between the voter and the Electronic Voting system.

Voters Requiring Assistance (s.52(1)4)

The Election Official may permit a voter who needs assistance in voting to have such assistance as the Election Official considers necessary.

Oral Oath of Voter Requiring Assistance

A voter who requires assistance to vote at a Help Centre may ask the Election Official for assistance. The Election Official shall require the voter making the request to take the Oral Oath of Voter Requiring Assistance on the "Oral Oath of Elector Requiring Assistance, Friend, Interpreter" Form EL27.

Oral Oath of Friend of Elector

In lieu of the Election Official providing assistance, the voter may request that a friend accompany the voter at a Help Centre and assist the voter. Any friend assisting shall be required to take the Oral Oath of Friend of Elector on the "Oral Oath of Elector Requiring Assistance, Friend, Interpreter" Form EL27. No person shall be allowed to act as a friend of more than one voter at a Help Centre. **Candidates and Scrutineers may not act in the capacity of a friend of elector.**

Oral Oath of Interpreter

Where a voter requires an interpreter, such interpreter must be provided by the voter, shall take the Oral Oath of Interpreter on the "Oral Oath of Elector Requiring Assistance, Friend, Interpreter" Form EL27, and shall translate the oaths as well as any lawful questions put to the voter.

Voter Information Letters (VIL)

During the third (3rd) week of September, each eligible Voter whose name appears on the Voters' List as of the close of business, Friday, September 16, 2022, will receive, by regular mail, a Voter Information Letter (VIL) which contains information for both Electronic and Telephone Ballot voting. The letter will include instructions regarding the process for both Electronic and Telephone voting.

Any eligible Voter who is added to the Voters' List after Friday, September 16, 2022, will be provided with a Voter Information Letter by the Clerk or their designate following their addition to the Voters' List.

Duplicate Voter Information Letters (VIL)

Should an eligible elector receive more than one Voter Information Letter, the eligible elector may only vote **once** and must return the other Voter Information Letter to the Municipal Office and complete an "Application to Amend the Voters' List" Form EL15 to remove the duplicate name. Any electors who vote more than once or who improperly use the Voter Information Letter shall be reported to the Police for further investigation as to possible corrupt practices under the Act.

Voter Information Letters returned to the Help Centre shall have the voter credentials immediately disabled in the system so that voter credentials cannot be used in the voting process. The opened Voter Information Letters will then be maintained in a secure fashion and destroyed in the same manner as all other municipal election material as provided for under s.88 of the Act.

The Clerk and the Election Official shall ensure a complete audit trail is maintained of all Voter Information Letters:

- that were sent to eligible electors;
- that were returned from the Post Office;
- that were returned by an elector or other individual either opened or unopened but unused for voting purposes;
- that were set to a status that prevented them from being used to vote;
- that were re-issued to an eligible elector; and
- that were assigned by an Election Official to eligible electors that have completed "Application to Amend the Voters' List" Form EL15.

Return and Replacement of Voter Information Letters

Voter Information Letters returned to the Clerk's Department unopened will be securely stored and will remain unopened. If the Clerk or their designate is satisfied that a Voter Information Letter that has been returned can be delivered safely to the Voter, and the Voter has not already voted, then the Clerk or their designate may authorize the release of the returned Voter Information Letter to the voter.

Once a Voter has voted, they are no longer eligible to receive a replacement Voter Information Letter.

All returned Voter Information Letters that are in the possession of Election Officials at the end of the voting period will be destroyed at the same time as all other Election material as provided for in the *Act*.

The Clerk will ensure a complete audit trail of all Voter Information Letters.

- that were sent to eligible voters;

- that were returned from the Post Office;
- that were returned by a voter or other person(s) either opened or unopened but unused for voting purposes;
- that were re-issued to an eligible voter; and
- the total number of Voter Information Letters that were assigned to eligible voters.

PIN Procedures

Where an eligible voter has tried his/her/non binary PIN and has been unsuccessful in accessing the voting system, the Election Official will determine its status, and once verified, shall advise the voter that the PIN is valid and has not been used. The Election Official may suggest the voter try the voter credentials again using an alternate method (telephone vs. internet) or attend the Help Centre to obtain assistance in voting.

Where an eligible voter has received an incorrect Voter PIN in terms of school support, and has not voted in that race, the voter must contact the Help Centre and have the proper category applied to the existing PIN. The elector will be required to provide appropriate confirmation of eligibility and to complete "Application to Amend Voters' List" Form EL15.

For the purposes of voting in 2022, a change for school support cannot be made after the ballot has been cast. In other words, under no circumstances shall a voter be entitled to cast a second ballot.

New voter credentials shall not be given out over the telephone. The voter must attend the Help Centre with proof of identify and residence as prescribed in O. Reg. 304/13 and complete the appropriate form.

See also Help Centre Section.

Exceptions will be considered at the sole discretion of the Clerk when satisfied that extenuating circumstances require special accommodation. Such situations shall be documented by the Clerk with measures to ensure security and privacy of the elector, and integrity of the voting process.

Retirement Home or Institution

A roving Help Centre may visit institutional buildings during the Voting Period. The Clerk will work with the North Shore Health Network and seniors organizations to determine the need for a roving Help Centre.

A schedule will be provided to candidates at least one week in advance of implementation of a roving Help Centre.

Scrutineers

a) Appointment by Candidate and Qualification

A candidate may appoint scrutineers to represent him/her at the Municipal Office, the testing and opening of the voting system, at the Help Centre during voting periods, and during the receipt of voting results, including during a recount.

The appointment shall be made using the "Appointment of Scrutineer" Form EL12(A). The forms to appoint scrutineers must be signed by the candidate. The candidate shall provide this signed form to their scrutineer.

b) Conduct

The candidate is responsible for the conduct of his/her/non binary scrutineers. In the event of a complaint regarding the conduct of a scrutineer at a Help Centre or at the opening or closing of the voting system, the scrutineer may be asked to leave by the Election Official, and the candidate will be contacted.

c) Number per Candidate

Either the candidates or not more than one (1) scrutineer representing each candidate will be permitted during the closing of the voting system. Only the candidate or his/her/non binary appointed scrutineer may be in attendance at a Help Centre at one time. The candidate/scrutineer must take an "Oral Oath of Secrecy" Form EL12(B) at the Help Centre.

d) Evidence of Appointment

A person appointed as a scrutineer, before being admitted to the Help Centre, shall show his/her/non binary appointment form and provide proof of identity.

Count Procedure

The Clerk, at 8:00 pm on October 24, 2022, shall arrange for the close of the voting system at the Municipal Office. All eligible voters in process at 8:00 pm, or in attendance to vote at the Help Centre at 8:00 pm, will be permitted to vote prior to closing of the voting system.

Candidates or one scrutineer for each candidate may be in attendance at the Municipal Office for close of voting. Candidates and scrutineers will be required to provide proof of identity prior to entry. Scrutineers will be required to show their appointment letter Form EL12(A). Entry will not be permitted before 7:45 pm. Anyone who is creating a disturbance will be removed as directed by the Clerk.

Upon receiving confirmation that all pending voters have voted, the Clerk shall produce the results report from the voting system. Those present, including the Clerk, Election Officials, candidates (or their scrutineers), shall sign the report indicating the results and votes cast.

Notice of Results

The unofficial results of each candidate shall be made available by the Clerk no earlier than 8:15 pm on October 24, 2022 Voting Day, at the Municipal Office, 11 Hudson Street, and the Clerk shall post the same **Unofficial Results** on the Municipality's Website.

As soon as possible after Voting Day, the Clerk shall declare the **Official Results** and post the results at the Municipal Office and on the municipal Website.

Notice of election results for each school board race shall be provided to the responsible Municipal Office for each of the elections.

Recount

A recount under sections 56, 57, or 58 shall be conducted in the same manner as the original count as per s.60 (1) unless ordered otherwise by a judge under s.60 (3).

An Automatic Recount will occur when:

- There is a tie vote where both or all candidates cannot be declared elected, the Clerk must hold a recount **within 15 days after the declaration** required by s.55(4) a) and b) of the results of the election.

If required, ScytI Canada Inc. shall provide any documentation to support the integrity, security and accuracy of the electronic voting system.

- Where a vote differential of one quarter of 1 percent (0.25%) threshold, rounded up to the nearest whole number, of the total votes cast for the office exists between the candidate(s) who is elected and those who are not. The proposed formula accounts for varying participation rates and establishes a value where members of the public and candidates may have reasonable concerns respecting the perceived accuracy of the count due to the closeness of the results.

By way of an example, in an election with 5200 ballots cast by electors, a recount would be undertaken where the variance was equal to or less than 13 votes, calculated as follows:

$$5200 / 400 = X \{100 / 0.25 = 400\}$$

$$5200 / 400 = 13 \text{ *13 is the 'threshold'}$$

Formal Request for Recount is required when one of the following is received by the Clerk:

- by resolution of Council (for Council offices);
- by resolution of local board (for offices on a local board);
- by order of the Minister (for questions submitted by the Minister);
- by order of the Superior Court of Justice.

a) Costs of Recount (s.7(3), 7(4))

The costs incurred by the Clerk to conduct a recount are to be paid by the Municipality. Any expenses incurred by a candidate will be the responsibility of the candidate ie: legal counsel in attendance on behalf of the candidate.

The Clerk shall submit a signed certificate verifying the costs to the appropriate local board, upper tier municipality or Minister who shall in turn be responsible for paying the costs as

soon as possible.

b) Who Conducts Recount (s.56)

The Clerk conducts all recounts for elections for which he/she/non binary is responsible except recounts conducted by the Superior Court of Justice upon appeal.

In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Clerk.

- If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast during the electronic voting period.
- If the regenerated count and the initial count do not match, the Clerk shall:
 - Direct one final count to be regenerated by the system of the votes cast during the electronic voting period.
 - Attend while the final count is being regenerated.

The regenerated final count shall be the final count of the votes cast during the electronic voting period.

c) Tied Vote Recount (s.56)

Where there is a tied vote for the election of a candidate to an office and both or all of the candidates cannot be declared elected, the Clerk must hold a recount **within 15 days after the declaration** required by s.55(4) a) and b) of the results of the election.

If required, ScytI Canada Inc. shall provide any documentation to support the integrity, security and accuracy of the electronic voting system.

d) Council, Local/School Board or Minister Request for Recount (s.57)

Within 30 days after the Clerk's declaration of the results under s.55(4), a Council, local/school board may pass a resolution or, the Minister may make an order requiring a recount.

The recount is to be held within 15 days **after the resolution is passed or the order is made**. An order of the Minister must be made within the same time frame. The incoming council or local board is no longer able to make a decision on a recount.

e) Application to Superior Court of Justice (s.58)

A person who is entitled to vote in an election and who has reasonable grounds for believing the election results to be in doubt may apply to the Superior Court of Justice for an order directing the Clerk to hold a recount.

The application must be commenced within 30 days after the Clerk's official declaration of the results under s.55(4). The court, if satisfied there are sufficient grounds, shall make an

order requiring the Clerk to hold a recount. The recount is to be held within 15 days after the Clerk receives a copy of the order.

f) Votes for Candidates to be included in a Recount (s.56, 59)

The votes to be included in the recount are as follows:

- In a recount for a tied vote, the votes cast for candidates who are tied.
- In a recount being conducted under the authority of a council or local board resolution, the votes cast for candidates named in the resolution (all or specified candidates).
- In a recount being conducted under the authority of a court order, the votes cast for candidates named in the order (all or specified candidates).

The Clerk may include the votes for any other candidate for the same office. The practical application of this provision would be for the Clerk to include any candidate whose vote total was, in the Clerk's opinion, close enough to possibly be affected by the recount.

g) The following persons are entitled to be present at a Recount (s.61)

- the Clerk and any other Election Official appointed for the recount;
- every certified candidate for the office involved;
- the applicant, if any, who applied for the recount under s.58;
- legal counsel for any of the above;

Each certified candidate for the office involved or an applicant may appoint a scrutineer for the recount.

h) Notification of Recount (s.56, 57, 58 and O. Reg. 101/97)

The Clerk shall give notice of the recount date, time and place to the following:

- all certified candidates for the office which is the subject of the recount;
- where a resolution is involved, the Council or local/school board which passed the resolution;
- the Minister when an order has been made;
- the applicant in the case of a court order;

Notice of recount will be given by registered mail or personal service.

i) Process at Recount (s.61, 62)

Once the recount process has commenced, it must continue to completion. Upon completion of the recount, the Clerk will announce the results of the recount. Persons authorized to be in attendance at the recount may also be at the announcement of the results of the recount.

Unless an application has been made for a judicial recount, the Clerk, on the 16th day after the recount is completed, will declare the successful candidate or candidates elected or will declare the result of the vote.

j) Continuing Tie Vote – After Recount Procedures

Pursuant to s.62(3) in a case of a tied vote following the recount, the Clerk shall determine the result by conducting a lot as follows:

The Clerk shall write the name of each candidate on equal-sized pieces of paper. They are then put in a container as determined by the Clerk. The Clerk shall announce prior to the draw that “the candidate to be elected shall be the candidate whose name is written on the first piece of paper I draw out of the container.” The paper is pulled from the container and the candidate elected is announced.

k) Declaration by Clerk and Notice of Final Certified Results – s.62(4)

Unless an application has been made for a judicial recount, the Clerk on the 16th day after the recount is completed will declare the successful candidate or candidates elected by posting the “Declaration of Recount Results” Form 32 at the Municipal Office and on the Website. Such Declaration shall be sent to everyone previously given notice of the recount.

l) Recount Records

At the conclusion of the recount, the Clerk shall secure all materials from the recount including but not limited to the ballots, ballot boxes, ballot transfer cases, results tapes, memory cards and all other materials relating to the recount process.

The Clerk shall destroy recount materials in accordance with the retention period as prescribed in the *Act*.

Procedures and Forms

Section 42 (4) 2 of the Municipal Elections Act states that the procedures and forms, established by the Clerk, if they are consistent with the principles of the Act, prevail over anything in the Act and the regulations made under it.

Amendment of Procedures

Where the Clerk deems it necessary to provide clarification, interpretation, or adjustment on any of the procedures described herein, the Clerk shall post the amended procedures to the Town of Blind River Election website.

Unforeseen Cases

Any unforeseen cases not dealt with in these procedures will be recorded, action taken, and reflected in an addendum signed by the Clerk.

Emergencies

As per Section 53 of the Act, the Clerk may declare an emergency if they are of the opinion that circumstances have arisen that are likely to prevent the Election being conducted in accordance with the Act. On declaring an emergency, the Clerk shall make such arrangements as deemed advisable for the conduct of the Election. The arrangements made by the Clerk, if they are consistent with the principles of this Act, prevail over anything in this Act and the regulations made under it.

If required, the Clerk may consider alternate options for the following:

- Reporting results.
- Notification of voters.
- Election Officials.
- Voting period (delay of Voting Day, extension of voting hours or day(s)); and
- Alternate voting locations or alternate facility.

The Clerk may make any directions that they think necessary or desirable with respect:

- To the voting procedures to be used;
- To the taking of the votes;
- For the Counting of the votes; and
- Where required, for a Recount under Sections 56 to 64 of the *Act*.

The emergency continues until the Clerk declares that it has ended. If made in good faith, the Clerk's declaration of emergency and arrangements shall not be reviewed or set aside on account of unreasonableness. The Clerk shall provide notice of such emergency to the best of their ability and in keeping with the circumstance. If any part of the voting for an office is not completed due to an emergency, the Clerk will not release the results until the voting for that office is completed.

Alternative Methods By-law

THE CORPORATION OF THE TOWN OF BLIND RIVER BY-LAW NO. 22-12

Being a By-law of the Corporation of the Town of Blind River
to Authorize Alternative Voting Methods for the 2022
Municipal Elections.

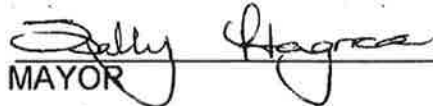
WHEREAS the *Municipal Elections Act*, S.O. 1996, Subsection 42(1)(b) states that the Council of a local municipality may pass by-laws to authorize electors to use an alternative voting method that does not require electors to attend at a voting place in order to vote;

AND WHEREAS the Council of The Corporation of the Town of Blind River deems it desirable to conduct the 2022 Municipal Election using a Telephone/ Internet voting method;

NOW THEREFORE, The Council of The Corporation of The Town of Blind River
ENACTS AS FOLLOWS:

1. THAT the use of electronic voting by telephone and internet as an alternative voting method is hereby authorized in respect of the school board and municipal election to be held in 2022;
2. AND THAT the CAO/Returning Officer shall establish procedures and the required forms for the alternate voting method in accordance with Section 42(3) of the *Municipal Elections Act*;
3. AND THAT the CAO/Returning Officer is authorized to determine the length of the voting period, including advanced voting;
4. AND THAT the counting of ballots by electronic methods, in keeping with the voting method, is hereby authorized;
5. AND THAT the CAO/Returning Officer is authorized to enter into agreements with selected vendors necessary for the election;
6. AND THAT this by-law shall come into full force and effect as of the date of its passing.

PASSED IN OPEN COUNCIL THIS 7th DAY OF FEBRUARY, 2022.


MAYOR


CAO/CLERK

Appendix A - Acceptable Forms of Identification

An original piece of identification must be presented that shows the voter's name and qualifying Town of Blind River address (where you currently live or own property). There is no longer a requirement to show identification with a signature.

You must present one or more of the following documents as outlined in Ontario Regulation 304/13 as follows:

1. An Ontario driver's licence
2. An Ontario Health Card (photo card)
3. An Ontario Photo Card
4. An Ontario motor vehicle permit (vehicle portion)
5. A cancelled personalized cheque
6. A mortgage statement, lease or rental agreement relating to property in Ontario
7. An insurance policy or insurance statement
8. A loan agreement or other financial agreement with a financial institution
9. A document issued or certified by a court in Ontario
10. Any other document from the government of Canada, Ontario, or a municipality in Ontario or from an agency or such a government
11. Any document from a Band Council in Ontario established under the *Indian Act* (Canada)
12. An income tax assessment notice
13. A Child Tax Benefit Statement
14. A Statement of Employment Insurance Benefits Paid T4E
15. A Statement of Old Age Security T4A (OAS)
16. A Statement of Canada Pension Plan Benefits T4A (P)
17. A Canada Pension Plan Statement of Contributions
18. A Statement of Direct Deposit for Ontario Works
19. A Statement of Direct Deposit for Ontario Disability Support Program
20. A Workplace Safety and Insurance Board Statement of Benefits T5007
21. A property tax assessment

22. A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement
23. A CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities
24. A hospital card or record
25. A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution
26. A document showing residence at a long-term care home under the *Long-Term Care Homes Act, 2007*, issued by the Administrator for the home
27. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission
28. A cheque stub, T4 statement or pay receipt issued by an employer
29. A transcript or report card from a post-secondary school

Appendix B – Forms

Forms follow this page.



Town of Blind River ~ Municipal Election 2022

Appointment and Oath of Deputy Returning Officer

Name of Person Appointed as Deputy Returning Officer:

The person named above is hereby appointed Deputy Returning Officer (DRO), for the Town of Blind River , and in addition to the duties and responsibilities of a DRO as provided in the *Municipal Elections Act, 1996*, is hereby delegated the following duties and responsibilities pursuant to the *Municipal Elections Act, 1996*:

- authority to amend the Voter's List at the Voting Place to add an Elector, remove an Elector's own name and/or correct erroneous information;
- authority to require a person to furnish proof of identity, qualifications or any other matter;
- authority to administer the Oral Oath of Secrecy and the Oral Oath or Affirmation of Qualification;
- authority to maintain peace and order at the Voting Place by removing anyone who is causing a disturbance.

Kathryn Scott, Clerk

I, _____ the person named above, solemnly swear (or affirm) that I will:

- act faithfully in the capacity set out in my appointment and perform all the duties required by law without partiality, fear or affection,
- maintain and aid in maintaining the secrecy of the voting, and
- not interfere nor attempt to interfere with an Elector when she/he/non binary is marking her/ his/ non binary ballot, obtain or communicate any information as to how an elector is about to vote or has voted, or directly or indirectly induce an Elector to show her/his/non binary marked ballot to any person.

Declared before me at the Town of Blind River, this _____ day of _____, 2022.

Appointee Signature

Kathryn Scott , Clerk



Town of Blind River ~ Municipal Election 2022

Appointment and Oath of Election Official

Name of Person Appointed as Election Official: _____

The person named above is hereby appointed an Election Official for the Town of Blind River, and is hereby delegated the following duties and responsibilities pursuant to the *Municipal Elections Act, 1996*.

- authority to require a person to furnish proof of identity, qualifications or any other matter;
- authority to approve or deny applications for revision to the Voter's List;
- authority to amend the Voter's List to add an Elector, remove an Elector's own name and/or correct erroneous information;
- authority to receive election results as they are reported on Election Day.

Kathryn Scott, Clerk

I, the person named above, solemnly swear (or affirm) that I will:

- act faithfully in the capacity of Election Official and perform all the duties required by law without partiality, fear or affection,
- maintain and aid in maintaining the secrecy of the voting, and
- not interfere nor attempt to interfere with an elector when she/he/non binary is marking her/ his ballot, obtain or communicate any information as to how an elector is about to vote or has voted, or directly or indirectly induce an elector to show her/ his/ non binary marked ballot to any person.

Declared before me at the Town of Blind River, this _____ day of _____, 2022.

Kathryn Scott, Clerk Election Official



Town of Blind River ~ Municipal Election 2022

Appointment of Scrutineer by Candidate

Name of Candidate
Candidate for the Office of (select one):

	Mayor		Algoma District School Board
	Councillor		Huron-Superior Catholic District School Board
			Conseil scolaire public du Grand Nord de l'Ontario
			Conseil scolaire catholique du Nouvel-Ontario

Scrutineer Appointment

Name of Scrutineer Appointed: _____

I appoint the individual noted above as a scrutineer to represent me in the Town of Blind River 2022 Municipal Election.

Date: _____

Signature of Candidate

Instructions to Scrutineer

- Scrutineers arriving at a voting place must show this form and personal identification to the election officials and take an oath of secrecy.
- Scrutineers and candidates must abide by the rights and prohibitions as outlined on the following page

Rights and Prohibitions

Scrutineers and Candidates may:

- enter the Voting Place,
- object to an elector if they believe the elector is not qualified.

Scrutineers and Candidates cannot:

- campaign at the voting place,
- attempt, directly or indirectly, to interfere with an elector,
- display a candidate's election material (including buttons, pins, etc.) in a voting place,
- compromise the secrecy of voting,
- obtain or attempt to obtain, in a voting place, any information about how an elector intends to vote or has voted,
- park a vehicle displaying campaign material in the parking lot of the voting place.

Note:

- Only the candidate or one of his or her or non binary scrutineers may attend the voting place at one time.
- It is no longer mandatory that scrutineers be 16 years of age or older to work at an election.
- The Deputy Returning Officer (DRO) is responsible for conduct of the Voting Place and no candidate or scrutineer has the right to interfere with the DRO in the discharge of their duties.
- Anyone who is creating a disturbance at a Voting Place will be removed by the DRO.
- Scrutineers or candidates who wish to have a discussion with another candidate or scrutineer must leave the Voting Place to carry out their discussion outside of the Voting Place.
- No campaign material or literature of any nature whatsoever shall be displayed within the Voting Place. The boundaries of the Voting Place are the boundaries of the property where the Voting place is located and includes the parking lot.
- Scrutineers / candidates wishing to observe the close of the Voting Place must be at the Voting Place prior to the closing at 8:00 p.m. No one will be admitted to the Voting Place after 8:00 p.m.



Town of Blind River ~ Municipal Election 2022

Oral Oath of Secrecy

I, _____, do solemnly swear (or affirm):

That I will maintain and aid in maintaining the secrecy of the voting; and That I will not, nor attempt to:

- Interfere with an elector when he/she/non binary is marking his/her/non binary ballot;
- Obtain or communicate any information as to how an elector is about to vote or has voted;
or
- Directly or indirectly induce an elector to show his/her/non binary marked ballot to any person

To be declared by any Candidate or Scrutineer wishing to remain in the Voting Place

**Town of Blind River ~ Municipal Election 2022****Oral Oath of Elector Requiring Assistance,
Friend, Interpreter**

Oral Oath of Elector Requiring Assistance

I, (NAME OF ELECTOR) being an elector entitled to vote in the Town of Blind River swear or solemnly affirm I require assistance to mark my ballot.

Oral Oath of Friend of Elector

I, (NAME OF FRIEND), a friend of (NAME OF ELECTOR), an elector who is unable to vote without assistance, and who is entitled to vote in this municipality declare that I will:

- mark the ballot as directed by the elector; and
- keep secret the manner in which the elector voted.

Oral Oath of Interpreter

I, (NAME OF INTERPRETER) acting as interpreter for (NAME OF ELECTOR), an elector entitled to vote in this municipality, declare that I will faithfully translate necessary oaths as well as any lawful questions necessarily put to the elector and his / her / non binary answers at this voting place.



Town of Blind River ~ Municipal Election 2022

Application for Re-Issue of a Voter Information Letter (Lost / Unused)

Surname:	Given Name(s):	
Qualifying Address (Street Name & No.):	Town of Blind River	Postal Code:
Mailing Address (if different):		
Roll Number:		
<p>I, _____, being the above named individual and having provided satisfactory identification to the Election Official, do hereby make the following declaration:</p> <ol style="list-style-type: none"> 1. That I am an eligible elector for the Town of Blind River and that I am on the Voters' list or have made an application to be included on the Voters' List; 2. That I have not received by mail a Voter Information Letter from the Town of Blind River, OR <p>That I have lost or misplaced the Voter Information Letter provided by the Town of Blind River and I am unable to locate the said Voter Information Letter for the purpose of voting by telephone / internet.</p> <ol style="list-style-type: none"> 3. That I understand that should the Voter Information Letter be received by mail or found, the same shall be immediately returned to an Election Official of the Town of Blind River and that I shall not attempt to use or give to someone else, for voting purposes, the Voter Information Letter. 		
<p>I, _____, solemnly declare that all the statements contained in this application are true and that I have not voted in this election, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath. I further understand that making a false statement is an offense under the <i>Municipal Elections Act, 1996</i> and that I will be subject to persecution.</p> <p>Dated this _____ day of _____, 2022</p>		
<p>_____</p> <p>Signature of Applicant</p>	<p>_____</p> <p>Signature of Election Official</p>	

For Use By Election Official Only – Procedural Policy For Re-Issuance	
1. Verification of de-activation of Voter Identification No: _____	
Signature of Election Official	
2. Activation of Voter Identification Number: _____	
Signature of Election Official	
Signature of Acknowledgement	
I, the above named individual, hereby acknowledge receipt of a NEW Voter Information Letter provided by the Election Official.	
_____	_____
Signature of Applicant	Date
I, the Election Official, do hereby acknowledge that I have provided a NEW Voter Information Letter to the applicant and have followed the procedures identified above.	
_____	_____
Signature of Election Official	Date
Information on this form is collected under the authority of Sections 12, 40 and 42 of the <i>Municipal Elections Act, 1996</i> , and will be used to enable voting. Questions about collection of this information should be directed to the Town Clerk at 11 Hudson Street, Blind River, 705 356-2251.	



Town of Blind River ~ Municipal Election 2022

Application for Re-Issue of a Voter Information Letter (Used by an Imposter)

Surname:		Given Name(s):	
Qualifying Address (Street Name & No.):		Town of Blind River	Postal Code:
Mailing Address (if different):			
Roll Number:			
<p>I, _____, being the above named individual and having provided satisfactory identification to the Election Official, do hereby make the following declaration:</p> <ol style="list-style-type: none"> 1. That I am an eligible elector for the Town of Blind River and that I am on the Voter's list or have made an application to be included on the Voter's List; and 2. That I believe my Voter Information Letter has been used by an imposter <p>I, _____, solemnly declare that all the statements contained in this application are true and that I have not voted in this election, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath. I further understand that making a false statement is an offense under the <i>Municipal Elections Act, 1996</i> and that I will be subject to persecution.</p> <p>Dated this _____ day of _____, 2022</p>			
_____ Signature of Applicant		_____ Signature of Election Official	

For Use By Election Official Only – Procedural Policy For Re-Issuance

1. Verification of de-activation of Voter Identification No: _____

Signature of Election Official _____

2. Activation of Voter Identification Number: _____

Signature of Election Official _____

Signature of Acknowledgement

I, the above named individual, hereby acknowledge receipt of a NEW Voter Information Letter provided by the Election Official.

Signature of Applicant

Date

I, the Election Official, do hereby acknowledge that I have provided a NEW Voter Information Letter to the applicant and have followed the procedures identified above.

Signature of Election Official

Date

Information on this form is collected under the authority of Sections 12, 40 and 42 of the *Municipal Elections Act, 1996*, and will be used to enable voting. Questions about collection of this information should be directed to the Town Clerk at 11 Hudson Street, Blind River, 705 356 2251.

Application to Amend the Voters List (Form 15)