

2018 Municipal Election

Policies & Procedures

Internet & Telephone Voting

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Authority - *Municipal Election Act, 1996*

Duties and Powers of Clerk (s.11 and 12)

The Clerk of a local municipality is responsible 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 report described in Section 12.1 (2).

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.

Procedures and Forms (s.42)

The Clerk shall,

- (a) Establish procedures and forms for the use of,
 - (i) any voting and vote-counting equipment authorized by by-law, and
 - (ii) any alternative voting method authorized by by-law.
- (b) Provide a copy of the procedures and forms to each candidate.

These procedures and forms, being consistent with the principles of the *Municipal Elections Act, 1996*, prevail over anything in the Act and the regulations made under it. These powers include the establishment of forms, including forms of oaths and statutory declarations, and powers to require their use.

Procedures, forms or notices used by the Clerk to conduct the 2018 Municipal Election for the City of Pickering will be posted on the City's website and provided to any candidate or elector upon request.

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, to these procedures and circulated to all candidates and updated on the City's website.

01 Definitions

- 01.01 **Act** - the *Municipal Elections Act, 1996, S.O., 1996, c. 32*, as amended.
- 01.02 **Advanced Voting** – the dates, hours and locations for casting a ballot prior to voting Day.
- 01.03 **Ballot** – either an image on a computer screen of a ballot card containing spaces in which an elector marks their vote; or when voting using a telephone, an audio set of instructions which describes all choices available to an elector and instructions to mark their selection by depressing the numbered touchtone keypad.
- 01.04 **Candidate** – a person who has been nominated under Section 33 of the Act.
- 01.05 **Certified Candidate** – a candidate whose nomination has been certified by the Clerk under Section 35 of the Act.
- 01.06 **Clerk** - the City Clerk of the City of Pickering who is responsible for conducting this Election under the authority of the Act. All references to the “Clerk”, for the purposes of this manual, shall mean the Returning Officer for the 2018 Municipal Elections. All reference to “Clerk’s Designate” shall mean the delegated duties of the Returning Officer.
- 01.07 **Dominion Voting Systems Corporation** – the Telephone and Internet Voting supplier for the City of Pickering’s 2018 Municipal Election.
- 01.08 **Election Official** – the Clerk or other person(s) 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.
- 01.09 **Elector** – synonymous with Voter, means a person who meets the qualifications as determined under the Act and appears on the Voters’ List or is added to the List during the Revision Period.
- 01.10 **Internet and Telephone Voting Period** – the period authorized by the Clerk during which voters may cast an electronic ballot or cast an audio ballot.
- 01.11 **Nomination Day** - the last day for submitting nominations in accordance with Section 31 of the Act.
- 01.12 **Personal Identification Number (PIN)** – a unique multiple digit number assigned by Dominion Voting Systems to each elector that when used in conjunction with the Voter ID number provides secure access to the voting system.
- 01.13 **Preliminary List of Electors (PLE)** – a list of electors for the City of Pickering compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the City of Pickering as required under Section 19 of the Act.

- 01.14 **Proof of Identification** – acceptable forms of ID that will validate a voter’s identity, age and qualifying address as prescribed in O. Reg. 304/13 of the Act.
- 01.15 **Scrutineer** – an individual, appointed in writing by a certified candidate, to represent him or her during the voting process.
- 01.16 **Systems Auditor** - an Election Official appointed by the Clerk who shall independently verify and replicate the checks and testing of the internet/telephone voting system.
- 01.17 **Telephone/Internet Voting** – an alternative voting method authorized by By-law 7549/17 whereby eligible electors shall be entitled to vote over the telephone or internet using a secure voting system supplied by Dominion Voting Systems.
- 01.18 **Voter Assistance Centre** - a location to be open during specified dates and hours as established by the Clerk, where eligible electors can attend to be added to the Voters List, issued a Voter Information Letter or receive assistance using the Internet/Telephone Voting System.
- 01.19 **Voter Help Line** - a telephone help line staffed by Election Officials to assist electors with the Internet/Telephone Voting process or other general election inquiries. The Voter Help Line will be staffed and open during dates and times as established by the Clerk.
- 01.20 **Voter ID Number** - a unique multiple digit number assigned by Dominion Voting Systems to each elector that when used in conjunction with the Personal Identification Number (PIN), provides secure access to the voting system.
- 01.21 **Voter Information Letter** – a sealed envelope to be mailed or otherwise distributed to each eligible elector on the Voters’ List which shall contain a Voter ID Number, Personal Identification Number (PIN), a telephone access number and internet address for voting, and the Voter Help Line number to call for assistance.
- 01.22 **Voters’ List** - a document prepared by the City, which lists the names and voting entitlement of eligible electors as provided by the Municipal Property Assessment Corporation (MPAC) in accordance with the Act.
- 01.23 **Voting Day** – the final day of the Voting Period established for the 2018 Municipal Election and shall start at 10:00 am and conclude at 8:00 pm on October 22, 2018, unless otherwise provided for in these Procedures.
- 01.24 **Voting Period** – the timeframe during which Internet/Telephone Voting shall be open to eligible electors and includes the advance vote period and Voting Day, being a period of time from Monday, October 15, 2018 to Monday, October 22, 2018.

02 Application of Procedures

- 02.01 Pursuant to Section 42 of the Act, the Council of the City of Pickering must enact a By-law with respect to voting and/or vote counting equipment for any election or by-election which they will be using. The City Clerk is authorized to establish procedures and forms for the use of voting and vote counting equipment on or before December 31st in the year before the year of the election.
- 02.02 These procedures apply to an election conducted by the City of Pickering involving the use of internet/telephone voting as per By-Law 7549/17 adopted on March 13, 2017. Where these procedures do not provide for any matter, an election to which this procedure applies shall be conducted in accordance with the principles of the Act.
- 02.03 The City Clerk may provide for interpretations of these procedures, in accordance with the principles of the Act. These procedures may be amended, as necessary, and as deemed appropriate by the Clerk. A copy of any amendment to these procedures shall be provided to all Candidates using the email address provided to the Clerk at the time of nomination or as subsequently provided to the Clerk in writing.

03 Notice

- 03.01 The Clerk shall notify eligible electors of the following through communication methods deemed appropriate and at the dates and times decided by the Clerk and in accordance with the Act, and such communication methods may include but shall not be limited to newspaper advertisements, social media, or the City's website:
- a) That a municipal election is being held and that the City has adopted an alternative voting method, being Internet/Telephone voting;
 - b) The office for which persons may be nominated and the nomination procedure;
 - c) Who is eligible to vote in the election;
 - d) The times and dates of the Voting Period, as well as the availability of the Voter Help Line, and Voter Assistance Centres;
 - e) How eligible electors can check to see if their name is on the Voters' List or if their information is correct and how to be added or removed from the Voters List; and
 - f) Information regarding the mailing of Voter Information Letters and how to cast a vote.

04 Nomination Papers

- 04.01 Nomination Papers will be available at the Clerk's Office from Tuesday, May 1, 2018 to Thursday, July 26, 2018 during regular office hours, and between 9:00 am and 2:00 pm on Friday, July 27, 2018 (Nomination Day).
- 04.02 Nominations must be filed with the Clerk's Office in the following manner:
- in person by the candidate or through an agent of the candidate, using the prescribed forms and in the municipality that the candidate is running in;
 - with the required endorsement of at least 25 persons. Persons endorsing a nomination may endorse more than one nomination but must be eligible to vote in an election for an office within the municipality;
 - with proof of identity and residence as prescribed in O. Reg. 304/13, an agent who is filing on behalf of a candidate must provide identification for the candidate as well as their own; and
 - with the prescribed nomination filing fee of \$200.00 for Head of Council and \$100.00 for all other offices, the filing fee shall be paid by cash, debit card, certified cheque or money order payable to the City of Pickering.
- 04.03 The Clerk has provided a detailed Nomination Procedure which can be obtained from the Clerk's Office or the City's Website.

05 Unofficial List of Candidates

- 05.01 The Clerk shall provide notice of the unofficial list of candidates by preparing and posting on the City's website an "Unofficial List of Candidates" which is to be updated as each Nomination Paper is filed.
- 05.02 The Unofficial List of Candidates will provide the name of the candidate and any other contact information agreed upon by the candidate.
- 05.03 The Unofficial List of Candidates will provide email and website addresses for candidates but, will not automatically connect to those addresses from the City's website.

06 Election Officials

- 06.01 The City Clerk shall appoint election officials for the purposes of the 2018 Municipal Election and may designate their titles and duties and where practical, the City Clerk may delegate to Election Officials any of the Clerk's powers and duties in relation to the election.
- 06.02 The Clerk will determine the number of Election Officials, and their roles and responsibilities. The number of election staff and their duties may be different at each Voter Assistance Centre.
- 06.03 Once appointed, each Election Official is required to take an Oath of Secrecy, related to their election duties and responsibilities.

07 Voter Help Line

- 07.01 Electors who have questions regarding the voting process or other election-related questions may contact the Clerk's Office or the Voter Help Line.
- 07.02 The Clerk shall make available and advertise the telephone number for the Voter Help Line in addition to the hours it will be open to receive calls on the City's website.

08 Voter Qualifications

- 08.01 An elector is eligible to vote in the 2018 Municipal Election provided he or she meets the criteria in Section 17(2) of the Act as follows:
 - a) is a Canadian citizen;
 - b) is at least 18 years old;
 - c) resides in the local municipality or is the owner or tenant of land there, or the spouse of such owner or tenant;
 - d) is not prohibited from voting under subsection 17(3) of the Act or otherwise, by law.

09 Voters' List

- 09.01 The Preliminary List of Electors (PLE) supplied by the Municipal Property Assessment Corporation shall be delivered to the Clerk in accordance with the Act.
- 09.02 The PLE shall contain the name and address of each person who is entitled to be an elector and additional information the Clerk needs to determine for which offices each elector is entitled to vote, such as school support, ward, non-resident, spouse, owner or tenant. The Clerk shall, to the best of her ability and legislative authority, ensure that an elector's name appears on the PLE for the municipality only once.
- 09.03 The Clerk shall correct any obvious errors in the PLE prior to the final Voters' List being produced.
- 09.04 The Voters' List may also be amended by using the prescribed form "Application to Amend Voters' List" between September 4, 2018 to October 22, 2018.
- 09.05 All Candidates upon request will receive a Voters' List applicable to the Office they are running for by September 4, 2018.
- 09.06 Voters' List can only be used for election purposes and shall not be placed or posted in a public area unattended. Election Officials in Municipal Facilities will have control of the Voters' List and will be prepared to answer questions

regarding whether a resident is on the Voters' List and will be available to instruct the resident on how to be added or deleted from the Voters' List.

10 Proof of Identification, Qualification, etc. (s.12(3))

10.01 Ontario Regulation 304/13, lists the acceptable identification used for proof of identification during the election process. The identification used for proof must be an original, certified or notarial copy and shall show the person's name and qualifying address.

11 Advance Votes and Voting Proxies

11.01 When a by-law authorizing the use of an alternative voting method is in effect, sections 43 (advance votes) and 44 (voting proxies) apply only if the by-law so specifies. Since the benefits of using alternative voting, being internet/telephone voting, includes eliminating proxies and lengthening the voting period and as By-law 7549/17 is silent on these issues, they are therefore not applicable.

11.02 Therefore, with respect to proxies, a person cannot give his or her Voter Information letter to another eligible elector or other individual for the purpose of voting. Acceptance of a 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 *Municipal Elections Act, 1996*.

12 Special Voting Locations – Retirement Home or Institution

12.01 Election Officials will attend Special Voting Locations (Retirement Homes or Institutions) in accordance with the Act during the Voting Period on days and times determined by the Clerk and the facility management.

13 Ballots

13.01 A ballot will be either an image on a computer screen of a ballot card or the audio set of instructions which describes all choices available to an elector and instructions to mark their selection by depressing the numbered touchtone keypad.

13.02 When viewing the ballot as an image on an electronic device, the City Clerk shall provide ballots in the prescribed form where the candidates' names shall appear on the ballot in alphabetical order, based on their surnames and in the case of identical surnames, their forenames. A space suitable for the marking of the ballot shall appear on the ballot to the right of each candidate's name.

13.03 All Certified Candidates are to provide to the Clerk the proper pronunciation of their name for the audio ballot, by following procedures established by the Clerk for the same.

14 Internet/Telephone Voting

- 14.01 Internet/Telephone voting shall be used for the 2018 Municipal Election in accordance with By-law 7549/17. Internet/Telephone voting is a vote anywhere anytime voting solution which allows the elector to cast an electronic ballot from their computer, tablet or smartphone from anywhere provided they have an internet connection and to also allow an elector to cast an audio vote from a touch tone telephone.
- 14.02 With Internet/Telephone voting, an information package is mailed out to every eligible elector which advises them of their voting options, dates and a secret PIN number and instructions on how to vote.

15 System Integrity

- 15.01 The internet/telephone voting system shall be reviewed and tested on several occasions by City Staff and also by an appointed Systems Auditor prior to the Voting Period, which includes but is not limited to a test for logic and accuracy using criteria established by the Clerk for that purpose. The intent of these reviews and tests shall be to ensure that votes cast are accurately tabulated, confirm the security and reliability of the system, and that the system is accessible and available to eligible electors using a working and supported internet connection or touch-tone phone.
- 15.02 The voting system shall be tested on several occasions by the Systems Auditor, appointed by the Clerk. The test(s) shall include, but are not limited to the following:
- a) attempting to use a PIN more than once;
 - b) balancing a predetermined number of votes with those cast;
 - c) attempting to match PINs to names and addresses;
 - d) checking the system which is used for activating PINs through the revision process;
 - e) deliberately entering the wrong information;
 - f) checking the Voter Assistance Centres telephones and internet access.
- 15.03 In addition, a test to verify that all totals of votes cast for all candidates are at "0" prior to the voting system being activated will occur, and attempting to vote once the polls have been closed after 8:00 pm on October 22nd, 2018.
- 15.04 A logic and accuracy testing session of the voting system which will be open to Certified Candidates prior to the election.

16 Voter Information Letter

- 16.01 Each person on the Voters' List shall receive by first class mail a sealed Voter Information Letter containing:
- a) His or her Voter ID Number, PIN and the telephone number and the designated internet address (URL) to cast his or her vote using the telephone or Internet;
 - b) Instructions on how to vote;
 - c) Dates and hours of the Voting Period; and
 - d) The Voter Help Line telephone number and the City website address.
- 16.02 The duplication of names on the Preliminary List of Electors shall be identified by the Clerk with the intent of removing duplicate names prior to the final preparation of the Voters' List. However, should an eligible elector receive more than one Voter Information Letter, they may only vote once, and must return the duplicate letter to City Hall, any City of Pickering Facility or any City of Pickering Library.
- 16.03 Where a voter qualifies at more than one location as a result of owning or renting more than one property in the City of Pickering, the voter shall vote only once and the qualifying address to determine eligibility for voting shall be at the place of the residence of the elector, as defined by the Act.
- 16.04 All voters that vote more than once in the Election or who improperly use the Voter Information Letter shall be reported to the appropriate authorities for further investigation as to possible corrupt practices under the Act.
- 16.05 Voter Information Letters returned, either by mail or by an individual, will be opened and the PIN status disabled so it can no longer be used to vote. The opened Voter Information Letters will then be marked "unused" and be maintained in a secure fashion and will be destroyed at the same time as other election material as provided for under Section 88 of the Act.
- 16.06 The Clerk, in partnership with Dominion Voting Systems, shall ensure a complete audit trail is maintained of all Voter Information Letters:
- a) that were sent or issued to eligible electors;
 - b) that were returned by mail;
 - c) that were personally returned by an elector or other individual(s) either opened or unopened but unused for voting purposes;
 - d) where the PIN was set to a status that prevented it from being used; and
 - e) that were re-issued to an eligible elector.

- 16.07 If an eligible elector does not receive their Voter Information Letter or if the Voter Information Letter is lost or destroyed, a new Voter Information Letter may be issued by attending City Hall or a Voter Assistance Centre. The Clerk or designated Election Official will confirm that the elector is qualified and have the elector or elector's agent complete the "Statement of Qualified Elector or Agent to obtain a Voter Information Letter from the Clerk", and a new PIN will be issued.

17 Voting Process

- 17.01 The integrity of the voting process shall be preserved by:
- a) ensuring that every eligible elector on the Voters' List is mailed or otherwise distributed a sealed Voter Information Letter which contains the unique Voter ID Number and PIN;
 - b) ensuring that no one except Dominion Voting Systems maintains a comprehensive list of Personal Identification Numbers that matches each voter's name and address;
 - c) providing opportunities for eligible electors who do not appear on the Voters' List to be added to the list or to make amendments to his or her information on the Voters' List up to, and including Voting Day, October 22, 2018 at 8:00 pm.
 - d) establishing proper procedures for the issuing and re-issuing of Voter Information Letters (VIP's) and Personal Information Numbers (PIN's).
- 17.02 Voting will commence on October 15th, 2018 at 10:00 am through to October 22nd, 2018 at 8:00 pm.
- 17.03 During the voting Period, assistance will be provided at City Hall and Voting Assistance Centres and access to a touch-tone telephone and internet will be available. Dates, times and locations will be provided prior to the commencement of voting.
- 17.04 For Internet Voting only, the eligible elector shall be required to complete a CAPTCHA challenge.
- 17.05 Complete instructions on how to vote by internet or telephone will be sent with the Voter Information Package.

18 Zero Total Confirmation before Voting Period

- 18.01 Prior to the activation of the Internet/Telephone Voting System on Monday, October 15, 2018, the Clerk, the Systems Auditor, and other authorized Election Official(s) shall access the voting system by secure ID and password for the purpose of viewing a list of all of the Certified Candidates' names, including the sum total of votes cast, to ensure that all totals for all selections indicate "0" (zero). The system will not be activated until confirmation that all the counts associated with each of the selections indicate a zero total.

- 18.02 Candidates or Scrutineers may be present to verify and ensure that all totals of the votes cast are at “0”, and shall be requested to sign a document that attests to this fact.

19 Voter Assistance Centres

- 19.01 For the purpose of this election, a voting place is not required. However, Voter Assistance Centres will be available to electors to receive assistance and clarification on the election process including access to a telephone and internet. The ability to vote at the Voter Assistance Centres will be limited to days and hours designated by the Clerk.
- 19.02 The Clerk shall make available and advertise Voter Assistance Centre Information no later than September 30, 2018.
- 19.03 All electors who require assistance at a Voter Assistance Centre have the option of voting with the assistance of a friend. However, the friend shall be required to take the appropriate oath prior to providing assistance, to be administered by an Election Official. In the absence of a friend, the voter may request the assistance of an Election Official.

20 Candidates and their Scrutineers

- 20.01 Scrutineers may be appointed, in writing by the Candidate, as provided for in Section 16 of the Act. One appointed Scrutineer presenting his or her appointment or the Candidate will be entitled to attend each of the following:
- a) A Voter Assistance Centre during the hours of operation to observe the process; and
 - b) Pickering City Hall, located at One The Esplanade, on Monday, October 22, 2018 at the close of voting to observe the results.
- 20.02 Scrutineers or Candidates who do not follow the instructions of the Election Official(s) or who attempt to interfere, influence and to determine how an elector is voting will be requested to leave the Voter Assistance Centre immediately. A Scrutineer appointment will be revoked, and the Scrutineer or Candidate will not be permitted to re-enter any Voter Assistance Centre or City Hall during the voting process.
- 20.03 Use of mobile communication devices or recording devices shall not be permitted within any Voter Assistance Centre by any Certified Candidate or Scrutineer.
- 20.04 Unless otherwise specified in the Act, correspondence from the Clerk to Candidates shall be by email, using the email address provided by the Candidate at the time of nomination or as subsequently provided to the Clerk in writing. Where an email address has not been provided by the Candidate, correspondence will be sent by regular mail.

21 Secrecy

- 21.01 The Clerk shall require all Election officials and/or other persons working in connection with the municipal elections to swear or affirm an oath of secrecy in accordance with the Act.
- 21.02 No person shall interfere or attempt to interfere with an elector while in the process of voting or interfere or attempt to interfere in the voting process unless expressly requested and authorized by an elector for assistance by a “friend” or an Election Official.
- 21.03 No person shall communicate any information that might have been inadvertently obtained about how an elector intends to vote or has voted.
- 21.04 No elector shall reveal how he or she intends to vote except when obtaining assistance in voting from either a “friend” or an Election Official.
- 21.05 All electors voting at the Voter Assistance Centres may vote with the assistance of a “friend”. However, the “friend” shall be required to take the appropriate oath prior to providing assistance.
- 21.06 No elector shall take a photograph or video recording during or after the voting process of his or her marked ballot to post or reveal how the elector voted.
- 21.07 No Candidate or person working for a Candidate shall assist a voter in the voting process at the elector’s home, at any campaign event or at any campaign office during the voting period.

22 Corrupt Election Practices, Offences, Mail Tampering and Prosecution

- 22.01 The Act provides for penalties and enforcement of corrupt practices and other offences during an election process. Although the City will be using an alternative-voting method, being internet/telephone voting, the principles and the integrity of the election process shall remain and is enforceable.
- 22.02 All complaints regarding any and all breaches of secrecy shall be investigated by the proper authorities and may be prosecuted according to the provisions of the Act under “Offences, Penalties and Enforcement”.
- 22.03 The Act provides for penalties and enforcement of corrupt practices and other offences during an election process. Penalties can include a fine up to \$25,000, forfeiture of office, ineligibility to run for office in the following election, and/or imprisonment up to 6 months.
- 22.04 The Criminal Code of Canada states that tampering with the mail of an individual is a criminal offence and a person found guilty is liable to a term of imprisonment not exceeding ten (10) years. Since Pickering’s election relies on delivery of Voter Information Letters to eligible electors in order to allow those electors to exercise their right to vote, any instance or substantiated account of mail tampering will be taken very seriously and reported to the authorities.

23 Processing the Totals on Voting Day, October 22, 2018

- 23.01 The Clerk shall keep the Internet/Telephone Voting System open until the end of the Voting Period, being October 22, 2018 at 8:00 pm, or until such time as eligible electors remaining in a Voter Assistance Centre have voted.
- 23.02 Eligible electors present at a Voter Assistance Centre prior to 8:00 pm on Voting Day and who are remaining within the Voter Assistance Centre after 8:00 pm will be permitted to vote using the Internet/Telephone Voting system at the Centre.
- 23.03 Once all eligible electors remaining at a Voter Assistance Centre after 8:00 pm on Voting Day were provided the opportunity to vote, the Clerk shall order the close of the vote and deactivation of the Internet/Telephone Voting System and shall also order the tabulation of the results.
- 23.04 Following the close of the votes, the Systems Auditor will attempt to vote by internet and by telephone, and confirm that he/she is not able to access the System.
- 23.05 The Clerk shall report the “unofficial” results after 8:00 pm on October 22, 2018 on the City’s website. The appointed Systems Auditor will also produce the results and compare his/her results with the Clerk to ensure that they are identical.
- 23.06 The City Clerk shall, at the completion of the count, retain the programs, memory packs, test materials and ballots in the same manner as is provided for in the Act for the keeping of election records.

24 Emergencies

- 24.01 In the event of any condition of an emergency or any circumstance that will undermine the integrity of the election, the City Clerk has the discretion to declare an emergency and make any arrangements he or she deems necessary for the conduct of the election.
- 24.02 In the event of an emergency, the Clerk shall advertise on radio, social media, and television stations if possible, and post notices to the extent possible, that the Election has been delayed or extended as the case may be.
- 24.03 In the event of an emergency, and a decision by the Clerk, Dominion under direction from the Clerk, shall stop the Internet/Telephone Voting system from accepting calls via a telephone and connections from the Internet, thus preventing the Election from continuing, or starting, as the case may be or direct Dominion to extend the Voting Period.

- 24.04 Given the options available to electors to vote from any telephone or personal device with an internet connection, any event that results in one or more Voter Assistance Centres becoming unavailable for use during the Voting Period (e.g. power failure, flooding) shall not be sufficient to cause the Clerk to declare an emergency, delay the vote, open a new Voter Assistance Centre, or extend the Voting Period.
- 24.05 In the event the Clerk is unable to be present to conduct procedures on Voting Day, there shall be a substitute qualified person appointed or available to attend to the election details.

25 Recounts

- 25.01 Pursuant to Section 56(1) of the Act, a recount is required when:
- a) There is a tie vote where both or all candidates cannot be declared elected (automatic recount);
 - b) Of the votes on a by-law, if the voters for the affirmative and negative are equal;
 - c) Of the votes for two or more answers to a question, if the votes are equal;
 - d) By resolution of Council (for Council Offices);
 - e) By order of the Minister (for questions submitted by the Minister);
 - f) By order of the Superior Court of Justice.
- 25.02 Pursuant to Section 60 (1) of the Act, a recount shall be conducted in the same manner as the original count on voting day.
- 25.03 Pursuant to Section 62(3) of the Act, if the recount indicates a tied vote the Clerk shall choose the successful candidate or candidates by lot.
- 25.04 The lot will be conducted as follows:
- a) The Clerk shall determine the texture and quality of the paper used for this process and each candidate or the candidate's lawyer and/or scrutineer will have an opportunity of examining the paper to be used to inscribe the names of the candidates.
 - b) The Clerk shall inscribe the name of each candidate(s) on a similar size paper and the candidate(s), the candidate's lawyer and/or scrutineer, without touching the paper, examine the same. In addition, all persons present will have an opportunity of examining the box which will be used for conducting the lot.

- c) Upon acceptance of all the candidates that the process outlined above has been adhered to, the Clerk shall fold the papers bearing each candidate's name twice in two (2) equal parts and shall deposit these papers, in full view of all persons present and authorized to attend, in an open-end box that will be acceptable to all persons present.
- d) On completion of this process, the Clerk shall hold the box and, without looking into the box, ensure that the contents have been displaced sufficiently and request the City Solicitor to draw only one (1) or the required number for the purpose of determining the successful candidate(s).
- e) The City Solicitor shall read aloud the name of the candidate or candidates. The Clerk will then proceed to declare this or these individuals elected.
- f) Once completed, the City Solicitor shall remove the remaining contents from the box and provide an opportunity for all persons present to examine these slips of paper and the box.
- g) The Clerk will announce the result of a recount as soon as it is complete.
- h) If no application has been made for a judicial recount under Section 63 of the Act the Clerk shall, on the 16th day after the recount is completed, declare the successful candidate or candidates elected or declare the result of the vote with respect to a by-law or question, as the case may be.

26 Election Records

- 26.01 At no time after voting day shall any information regarding the voter, PINs and ballots be matched in a manner that would allow any person to know how an elector has voted.
- 26.02 All election materials shall be destroyed in accordance with the principles of Section 88 of the Act.

Declaration

In accordance with Section 12(1) of the *Municipal Elections Act, 1996*, I, Debbie Shields, City Clerk and Returning Officer, hereby declare the above to be the Policies and Procedures that shall be followed in conducting the 2018 Municipal Election in the City of Pickering.

 Debbie Shields
 City Clerk/Returning Officer

 Date