



# Election Procedures for the 2018 Guelph Municipal Election

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October 2018

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## Version history

Version	Finalized on	Sections updated
1	December 19, 2017	Not applicable
2	October 16, 2018	Candidate nominations – page 2 Election Officials – pages 7, 9 Tabulator determines an over-vote – page 19 Tabulator rejects a damaged or defective ballot – page 19 Advanced voting – page 22 Voting day – page 23, 24 Candidates – page 28

# Overview

*The Municipal Elections Act, 1996 (“the Act”)*, gives the City Clerk authority, as Returning Officer, to establish procedures and forms for voting and vote-counting equipment within the municipality. The Act further gives authority to the City Clerk to provide for any matter or procedure that is not provided for in the Act.

## Municipal Elections Act

The Act applies to and governs municipal elections in the City of Guelph and is based on the following principles:

- The secrecy and confidentiality of the individual votes is paramount
- The election should be fair and non-biased
- The election should be accessible to the voters
- The integrity of the process should be maintained throughout the election
- There is to be certainty that the results of the election reflect the votes cast
- Voters and candidates should be treated fairly and consistently within a municipality
- The proper majority vote governs by ensuring that valid votes be counted and invalid votes be rejected so far as is reasonably possible

## Application of procedures

These procedures have been prepared to address issues and identify processes undertaken to conduct the 2018 municipal election in the City of Guelph in accordance with the above principles.

Any matter not provided for in this procedure shall be dealt with as far as practicable in accordance with the principles of the Act.

In accordance with Section 12(1) of the Act, the City Clerk may provide for any matter or procedure that is not otherwise provided for in the Act or regulation; and in the City Clerk’s opinion, is necessary or desirable for conducting the election.

These procedures are subject to change and may be updated as required up to voting day, October 22, 2018. The most up to date version of these procedures **will be available on the City’s election website.**

# Election methods for 2018

By-law (2017)-20163 was passed under the authority of Section 42 of the Act authorizing the use of vote tabulators at voting locations. This by-law is available upon request from the City Clerk.

## Candidate nominations

### Filing nomination papers

Nomination Papers may be filed for the following offices at the City Clerk's Office from Tuesday, May 1, 2018 to Thursday, July 26, 2018 during regular office hours, and between 9:00 a.m. and 2:00 p.m. on Friday, July 27, 2018, Nomination Day, for the following offices:

- Mayor – 1 to be elected
- Councillor, Ward 1 – 2 to be elected
- Councillor, Ward 2 – 2 to be elected
- Councillor, Ward 3 – 2 to be elected
- Councillor, Ward 4 – 2 to be elected
- Councillor, Ward 5 – 2 to be elected
- Councillor, Ward 6 – 2 to be elected
- Upper Grand District School Board Trustee, Wards 1, 5 – 2 to be elected
- Upper Grand District School Board Trustee, Wards 2, 3, 4 – 2 to be elected
- Upper Grand District School Board Trustee, Ward 6 & Puslinch – 1 to be elected
- Wellington Catholic District School Board Trustee – 4 to be elected
- Conseil scolaire de district catholique MonAvenir – 1 to be elected
- Conseil scolaire Viamonde – 1 to be elected

Candidates registering must be eligible voters from the time of filing their nomination papers through to voting day and if successful must maintain their eligibility throughout their term of office.

Information on where and when to file nomination papers will be posted on **the City's election website.**

All persons filing a nomination for office, withdrawing a nomination or changing qualifying information on their nomination paper must present current original identification that verifies their name and qualifying address to an election official. In the case where an agent is acting on behalf of a candidate filing a nomination, the agent must provide their own original identification as well as an original piece of identification belonging to the candidate.

# Municipal Freedom of Information and Protection of Privacy Act

Upon filing, nomination papers become part of the public record and shall be disclosed to members of the public upon request.

Upon receiving nomination papers, candidate information is posted to the **City's election website**.

## Certification of nomination papers

On Nomination Day, Friday, July 27, 2018, after 2:00 pm the City Clerk shall examine each nomination paper filed and, if satisfied the person is qualified to be nominated and that the nomination complies with the Act, the City Clerk shall certify the nomination paper. If not satisfied, the City Clerk shall reject the nomination and shall notify the person who sought to be nominated and all other candidates for that office. The City **Clerk's decision** to certify or reject a nomination is final.

## Third party advertiser registrations

In accordance with Section 88.6 of the Act, eligible third party advertisers may file a notice of registration with the City Clerk in the prescribed form and with a declaration of qualification.

Registrations can be filed starting with the opening of the nomination period on May 1, 2018 until the Friday before voting day when the City **Clerk's Office is** open which is October 19, 2018 until 4:30 pm.

## Ballots

In accordance with Section 41(2) of the Act, the ballots will contain the names of all certified candidates. The City Clerk has discretion to determine layout and formatting details with respect to ballots.

A composite ballot will be used and each ballot will contain the list of candidates for mayor, ward councillor and, if applicable, school board trustee.

Voters will be instructed to mark their ballot in the designated space next to the **name of the candidate of their choice. It is the voter's responsibility to mark the ballot** according to the instructions in order for it to be valid and counted properly.

In accordance with Section 41(2) of the Act, the following additional rules apply to ballots:

- Only the names of certified candidates shall appear on the ballot.
- **The candidates' names shall appear on the ballot in alphabetical order,** based on their surnames and, in the case of identical surnames, their forenames.
- If the candidate wishes, and the City Clerk agrees, another name that the candidate also uses may appear on the ballot instead of or in addition to his or her legal name.
- **No reference to a candidate's occupation, degree, title, honour or decoration shall appear on the ballot.**

If the surnames of two or more candidates for an office are identical or, in the City Clerk's opinion, **so similar as to cause possible confusion, every candidate's** qualifying address shall appear under his or her name.

A space **for marking the ballot shall appear to the right of each candidate's** name or, in the case of a by-law or question, to the right of each answer.

All ballots for the same office or relating to the same by-law or question shall be identical or as nearly alike as possible.

## The voters' list

The City utilizes a database to manage the **voters' list**. The data is received by the Municipal Property Assessment Corporation (MPAC) who is responsible for the enumeration of voter information.

There will be no paper voters' lists utilized in the election; instead, the **voters' list database, in the form of an electronic voters' list,** will be used to strike-off voters who cast their ballot in real time.

An initial **voters' list and supplementary voters' list**, after the advanced voting period, will be made available to candidates.

No person shall use the information obtained from these lists except for election purposes. The use or sale of these lists for commercial purposes is strictly prohibited.

## Additions and revisions **to the voters' list**

Voters will be able to add themselves or revise their information on the **voters' list using the Application to Amend the Voters' List. This form may be completed in a paper format and mailed to the City Clerk's Office or dropped**

off at the ServiceGuelph front desk. This form may also be completed **digitally using the City's Internet Voter Lookup (IVL) tool.**

Starting in September 2018, voters seeking to be added to **the voters' list** can **do so by visiting the City of Guelph's election website.**

**A voter may also be added to the voters' list** on voting day at any voting location provided they have the required proof of identity as prescribed. A list of acceptable voter identification is located on the Ministry of Municipal Affairs [website](#).

## Additions and revisions for special voting locations

In accordance with Sections 45 (7) and (8) of the Act, special voting locations will be offered at institutions and retirement homes.

The following procedure will be used when making additions or revisions to **the voters' list for residents of these locations.**

1. The designated election official will contact the administrator of each institution which is to be a voting location under the Act and will request a current list of the residents of the institution in a manner agreed to by the designated official and the administrator.
2. This list and completed Form 9 will be considered proof of identification under O. Reg. 304/13 s.2.
3. The names of eligible voters on this list will be added to the **voters' list**.
4. The list will also serve as a request to remove residents who are no longer at this address from the list under the Sections 23 and 25 of the Act.
5. The administrator of the institution shall sign an oath indicating that the information provided is true and correct and those on the list are eligible to vote.

## Secrecy

All election officials, candidates, scrutineers or other persons authorized to be in the voting place during voting hours are required to take the Oath of Secrecy in the form required and provided by the City Clerk.

Every person who is present in the voting place or at the counting of the votes shall help to maintain the secrecy of the voting.

No person shall:

- Interfere with a voter or attempt to interfere with a voter who is marking a ballot;



- Obtain or attempt to obtain, at a voting place, information about how a voter intends to vote or has voted; or
- Communicate any information obtained at a voting place about how a voter intends to vote or has voted.

No voter shall take a photograph or video recording of his or her marked ballot or show his or her marked ballot to any person so as to reveal how he or she voted. If they require assistance in the voting location, an exception may be granted.

No person other than the voter shall be allowed to enter the voting screen while a voter is voting or be in any position to see how a voter marks a ballot unless a voter requires assistance, in which case the voter and his/her designated assistant shall swear the appropriate oral oaths.

All complaints regarding any and/or all breaches of secrecy shall be investigated by the proper authorities and shall be prosecuted according to **the provisions of "Offences, Penalties and Enforcement"** under Sections 89 and 90 of the Act.

## Notices and communication

All advertisements relating to notices or information required pursuant to the Act will be published in the Guelph Mercury Tribune and on the City's **election** website at [www.guelph.ca/vote](http://www.guelph.ca/vote).

The City Clerk shall determine the date(s) of all advertisements including in which newspaper(s) the notices are to appear in order to comply with the requirements and principles of the Act.

The City will also utilize a variety of social media tools to publicize and promote the municipal election.

At the end of September 2018, the City Clerk will send a voter notification card (VNC) by mail to each voter whose name appears on the voters' list.

**The City's voters'** list provider will generate a data file containing the names of voters for the City Clerk to use in the preparation of the **VNC's. Cards** will include information on the advance and regular voting period, the list of voting **locations in a voter's ward, and bar code** for automatic strike off on the voters' list.

Any undeliverable **VNC's will be returned to the City Clerk's Office by Canada** Post and will be stored within a secure storage area and securely destroyed after the election.

Voters adding themselves to **the list after VNC's are mailed will receive their** card by email if an email address is provided.

Voters who have misplaced their VNC may refer to [www.guelph.ca/vote](http://www.guelph.ca/vote) or call the City **Clerk's Office to get information** on dates, time and voting locations.

## Election officials

The City Clerk shall in writing appoint election officials for the purposes of carrying out these procedures and may designate their titles and duties.

Candidates, their spouses and children are not eligible to be appointed as election officials in any capacity.

### City Clerk

The City Clerk is responsible for preparing for and conducting the election and maintaining peace and order in connection with the election.

The City Clerk may appoint such election officials as he/she considers necessary to assist with the election, shall make such appointments in writing and shall require all election officials to take an oath to protect the secrecy of the voting process and all related matters.

The City Clerk may delegate such powers and duties to other election officials as he/she deems advisable, but shall retain and may continue to exercise any and all of the powers delegated to such election officials.

### Managing Officer

The City Clerk appoints Managing Officers for each voting location to:

- Pick up ballots, tabulators and tabulator accessories at City Hall.
- Arrive at the voting place no later than 9:00 am.
- Be responsible for all election officials and ensure that staffing levels are sufficient at each voting place (is the final authority on any problems that arise at their assigned voting location and, where necessary, in consultation with the City Clerk).
- Ensure that the voting place is set up in accordance to the voting place layout, that traffic flow is adequate and all equipment is operational.
- Ensure that Ballot Officers and Revision Officers are logged into the **electronic Voters' List software**.
- Ensure that the proper administrative and legislative conduct of the voting place is maintained throughout the day (voters, candidates, scrutineers etc.)
- Act, when possible, as Greeter and direct all voters to appropriate Officer.
- Act as point of contact for all voters requiring assistance and assist with accessible voting.
- Assist and fill in for other Officers when required.

- At 8:00 pm, after the last elector has voted, assist the Tabulator Officer with closing of vote tabulator and collecting necessary forms.
- Complete voting place statement with Ballot Officer and Tabulator Officer and manage all closing procedures.
- Return tabulators, ballots, laptops and other supplies to City Hall after voting place has been fully closed.

#### Ballot Officer

The City Clerk appoints Ballot Officers for each voting location to:

- Arrive at the voting place no later than 9:00 am.
- Assist with posting of signage and other opening procedures as required.
- **Log in to electronic Voters' List software** (via computer) and prepare to process voters.
- Check that a voter's identification is sufficient before issuing a ballot.
- Issue written oaths of qualification to voters if identification is insufficient.
- Issue ballots to voters in secrecy folders and brief them on voting procedures.
- **Use electronic voters' list** to locate voters and electronically strike them as voted.
- Direct voters to the Revision Officer if they need to be added to the **voters' list** or they require an amendment to their voter information.
- **Assist voters as required or issue oaths to 'friends of voters'.**
- Assist Managing Officer with the removal of signage and loading of supplies for delivery to City Hall.

#### Revision Officer

The City Clerk appoints Revision Officers for each voting location to:

- Arrive at the voting place no later than 9:00 am.
- Assist with posting of signage and with other opening procedures as required.
- **Log in to electronic voters' list software** (via computer) and prepare to process voters.
- Assist voters in completing an EL-15 Form Application to Amend the **Voters' List and enforce revision requirements.**
- Use electronic voters' list software to search, add the individual to the List and/or revise their property/voter information.
- Direct newly added or revised voters to Ballot Officer(s) in order to receive a ballot.
- Assist Managing Officer with signage take down and other duties.
- Assist Managing Officer with packing and loading supplies (as needed).

#### Tabulator Officer

The City Clerk appoints Tabulator Officers for each voting location to:

- Arrive at the voting place no later than 9:00 am.
- Set up the vote tabulator and initialize prior to the opening of the voting place.

- Set up of ballot box.
- Turn on the tabulator.
- Produce zero totals report and post at opening of voting place (10:00 am).
- Receive completed ballots in secrecy folders from voters.
- Process ballots through the vote tabulator.
- Advise voters of any potential errors and over votes on the ballot.
- Refer voters to Ballot Officer if they need to correct their ballot.
- Assist voters in the use of accessible voting equipment.
- At the close of the voting place, closing the vote tabulator as specified in procedures.
- Remove the ballot bag from within the ballot box and securely seal it.
- Assist Managing Officer with tabulator closing procedures and clean up.
- Assist Managing Officer with packing and loading supplies (as needed).

### Greeter

The City Clerk appoints Greeters for each voting location to:

- Arrive at the voting place no later than 9:00 am.
- Assists with Voting Location set up and take down, opening and closing.
- Greets voters upon entry in a friendly and helpful manner.
- Assists voters in any capacity, as required. For example, opening doors if required.
- Ensure that voters do not go into areas that do not relate to voting (this is important if the voting location is located within a school).
- Ask voters who have their voter notification card to have acceptable identification ready to present to the Ballot Officer.
- Direct voters to the Revision Officer if they need to be added or change **their information on the voters' list**.
- Direct voters to the correct voting location if they are unable to vote at that location.
- Ensure the voter leaves the voting location after voting – no loitering.

## How often a voter may vote

A qualified voter is entitled to vote:

- only once;
- for as many candidates for an office as there are members to be elected, but only once for each candidate; and
- only once on any by-law or question included on a ballot.

A voter is entitled to one ballot only in the City of Guelph regardless of the number of properties he or she may own in separate wards. A voter who owns multiple properties must vote in the ward in which they reside.

A person who has been appointed as a voting proxy is still entitled to vote in their own municipality, notwithstanding that he/she has voted as a voting proxy for another voter.

## Appointment of a voting proxy

If a voter is unable, for any reason, to vote on any of the available voting days, they shall be able to appoint another person to act and vote on their behalf as their voting proxy using the prescribed form.

A proxy must be someone who is eligible to vote in the City of Guelph.

In accordance with Sections 44(4) and 44(6) of the Act, proxy forms will be issued and certified during regular business hours Monday to Friday starting July 30, until October 22, 2018. However, during advanced voting days, proxy forms will be available for issuance and certification from 8:30 a.m. to 5:00 p.m. on October 12; and from 12:00 p.m. to 5:00 p.m. on October 13 and 14, 2018.

In order to be appointed as a proxy, a person shall:

- complete an application in the prescribed form at City Hall with the City Clerk or designate, including the statutory declaration that he or she is the person appointed as a voting proxy; and
- if the City Clerk or designate is satisfied that the person who appointed the voting proxy is a qualified elector and that the person appointed is a qualified elector to act as the voting proxy, the City Clerk or designate shall certify the document.

The City Clerk or designate shall provide a certified copy of the original document to the voting proxy in order for them to present this at a voting location.

When a proxy has been certified by the City Clerk or designate this shall be **entered and indicated as such on the voters' list.**

A person acting as a voting proxy must present the certified document and acceptable identification to an election official distributing ballots at a voting location and must take the prescribed oath.

The election official at a voting location will confirm that the voter is indicated **as a proxy on the voters' list, in addition to reviewing the certified proxy** document, before issuing the ballot. The election official at a voting location will add a note to confirm that the voter has cast a ballot as a proxy.

A person shall not appoint more than one (1) voting proxy to vote on their behalf.

A voter is allowed to act as a proxy only once for a non-related person or is allowed to act as a proxy more than once if he or she is voting on behalf of immediate family members (spouse, sibling, parent, children, grandparent, and

grandchild). However, they cannot act as a proxy for both family members and a non-related person for the same election.

A person who votes as a voting proxy is also entitled to vote in his or her own right.

## Candidates and scrutineers

Candidates may appoint scrutineers in writing to represent them at the voting place. Scrutineers must show their EL12A written appointment form to election officials upon entry and upon request in accordance with Section 16(6) of the Act.

Election officials are responsible for the conduct of the voting location and no candidate or scrutineer has a right to interfere with an election official in the discharge of his/her duties. If a scrutineer or candidate is found to be obstructive in any way, he or she will be removed by an election official.

During the fifteen minutes prior to the opening of the voting place, scrutineers **are permitted to inspect, without touching, the ballots, the voters' list and all** other papers, forms and documents relating to the vote but not so as to delay the timely opening of the voting place.

Pursuant to Section 42(4) of the Act, only one scrutineer per vote tabulator will be permitted to be a witness at each voting location at a time. If a candidate or another scrutineer working on behalf of the same candidate enters the voting place, the prior scrutineer shall be required to leave. Candidates themselves are only permitted to be in a voting location for the purposes of casting their ballot or serving in the capacity of a witness for their own campaign. Outside of this, no candidate shall be allowed to have more witnesses than vote tabulators in a voting location at one time.

Scrutineers shall provide any necessary supplies themselves, as sitting directly at the tables provided for election officials is not permitted.

Scrutineers are not allowed to enter a voting screen or to be in a position to witness how a voter marks their ballot.

If a voter is objected to by a scrutineer, the election official shall note the objection and require the voter to take a prescribed oath of qualification prior to the issuance of a ballot. Election officials have the final word as to whether a voter is qualified to cast a ballot. To uphold the secrecy of the vote, scrutineers will not be permitted to examine or object to ballots as they are being processed by way of the vote tabulator.

Scrutineers may place their seal on the ballot bag after tabulation has occurred and only after the election official seals the ballot bag, in order that ballots cannot be deposited or withdrawn without breaking said seal.

After tabulation, the election official shall provide a candidate/scrutineer with a printout of the results signed by the election official if requested.

## Tabulators

The City Clerk shall provide at least one tabulator at each designated voting location during the advanced voting period and on voting day. The City Clerk will also provide a tabulator at each special voting location.

### Programming tabulators

The vote tabulators shall be programmed so that a printed record of the number of votes cast for each candidate can be produced upon the close of voting locations.

The vote tabulators shall be programmed so that the following ballots will be returned by the tabulator to the voter for inspection:

1. A ballot that is damaged or defective or has been marked in such a way or not marked sufficiently, that it cannot be properly processed by the vote tabulator.
2. A ballot with more designated voting spaces marked for an office than which a voter is entitled to vote, known as an over-vote.
3. A ballot which has no designated voting spaces marked, known as a blank ballot.

The vote tabulators will be programmed to accept and will not return a ballot which has some designated voting spaces marked for an office but with fewer votes cast than that which is allowable, known as under-votes.

If a damaged or defective ballot is returned, the voter will be given the opportunity to complete another ballot.

If a voter indicates to an election official that they wish to cast an over-voted ballot, the election official will override the system and cast the over-voted ballot. Only those offices correctly marked will be counted as part of the election results.

## Testing tabulators

Prior to voting day, the City Clerk shall have the vote tabulators tested to ensure that they will accurately count the votes for all candidates that are marked with the pen provided and with a valid mark in the designated area.

When testing the vote tabulators, adequate safeguards shall be taken to ensure that the system, or any part of it, that is used for processing and tabulating votes is isolated from all other applications or programs and that no remote devices are capable of gaining access to the system.

There are several testing phases before the voting equipment is ready for use during the advance voting period or for voting day.

### Testing Tabulators (Diagnostic Testing)

This test will ensure that the clock, LCD display, system memory, printer, serial port, auxiliary port, and ballot reader are all functioning properly.

### Testing Memory Cards

This will test every memory card to ensure it is not defective.

### Testing Ballots

Once the ballots have been printed and received, a test deck must be prepared and tested on each machine. A test deck shall include every type of ballot and be comprised of samples of blank ballots, under-voted ballots, over-voted ballots, and properly completed ballots.

If an error is detected in any test, the cause of the error shall be ascertained and corrected. The test will be repeated until an errorless count is confirmed.

The test shall be conducted as follows:

1. Assign a varying number of votes to a pre-audited group of ballots marked with the designated black ballot marking pen in designated areas;
2. Manually count each valid vote and record the results;
3. Tabulate the pre-audited ballots using the vote tabulator; and
4. Compare the output of the tabulator with the pre-audited results.



## Testing audio and accessibility equipment

A test must include every type of ballot to be used and be comprised of samples of under-voted ballots, over-voted ballots, and properly completed ballots. A test must also include every type of accessibility equipment to be used. The test shall be conducted as follows:

1. A list is to be compiled of predetermined votes to be cast;
2. Using all types of accessibility equipment assigned to a tabulator, the votes for all races in the election are to be cast according to the predetermined list; and
3. The results will be compared from the tape of the voting machine against the predetermined list of votes to be cast.

## Defective machines and spare tabulators

In the event that a memory card or vote tabulator must be replaced, a new vote tabulator, which has previously been tested, will be put into operation.

Prior to voting day, any spare vote tabulators shall be tested using the same procedures along with the other vote tabulators.

## Test documentation

A complete record of all testing phases shall be retained. In the event that the competency of the voting equipment is questioned, all printouts, reports, and the test decks shall be retained for verification purposes. The City Clerk shall, at the completion of the test, retain the programs, test materials and ballots in the manner provided for in the Act for the keeping of election records. The City Clerk shall have access to the pre-audited group of ballots and other materials used in the programming of the vote tabulators.

## Voting locations

**Due to the use of an electronic live voters' list**, voters can cast their ballot at any of the following advanced voting locations from October 12 to 14, 2018:

- City Hall
- Evergreen Seniors Community Centre
- Clair Road Emergency Services Centre

- University of Guelph (October 12 only)

On voting day, October 22, 2018, voters can vote at any of the designated voting locations in their ward. A complete list of locations may be obtained from the City Clerk's Office or found on the City's election website at [www.guelph.ca/vote](http://www.guelph.ca/vote).

## Opening voting locations

An election official will set up the vote tabulator and ballot box.

Using the security key, the election official will access the administration menu and will initiate the "open voting location" process.

At the opening of the each voting location, for each vote tabulator, the election official shall:

1. In the presence of all scrutineers and election officials present, cause the vote tabulator to print a copy of all totals on the memory card before the opening of the voting place confirming zero totals.
2. If the totals are zero for all candidates, the election official shall ensure that two zero printouts are printed, one to remain affixed to the vote tabulator and one posted at the location until the results are printed by the vote tabulator after the close of the vote. Election officials and candidates/scrutineers may sign the zero totals report, if they so desire.
3. If the totals are not zero for all candidates, the election official shall immediately notify the City Clerk and shall conduct the vote using the auxiliary compartment of the ballot box until the vote tabulator is made operational or the City Clerk provides a back-up vote tabulator to the voting location.

## Re-opening voting locations

On subsequent days of continuous voting during the advanced voting period or with subsequent special voting locations, an election official shall:

1. Pick up the vote tabulator and other election supplies from City Hall and set up at the advance or special voting location;
2. Plug in the vote tabulator and verify the number of ballots cast on the display with the number of ballots cast from the previous count; and
3. Remove the seals on the ballot box and the vote tabulator, and voting is to resume.

## Live voters' list

Election officials at all the advance voting and voting day locations will utilize a **live voters' list**. All voters will be struck off of the same centralized **electronic voters' list and this will be recorded after a voter has received a ballot**.

## Accessible voting options

When a voter requests to use an accessible voting device, the election official shall:

1. Issue the correct ballot to the voter with DRO initials marked in the required area.
2. Ensure that a blank ballot is inserted in the printer.
3. Will provide the voter with head phones and the ATI handheld touch pad, as requested, or any other appropriate ATI devices, such as the paddles or sip and puff device. The election official will provide the voter with verbal and/or written instructions as to how to operate the equipment.
4. To initiate the ballot, the election official will contact the security key to the voting machine. The election **official will select the "accessible voting"** option from the administrative menu. He/she will select the proper ballot ID for that voter.
5. The audio ballot instruments will start automatically, and once the voter has finished voting, the election official will hold a secrecy folder in front of the printer as it prints the ballot to ensure the confidentiality **of the voter's selections**.
6. The election official will then feed the ballot into the tabulator to be recorded.

The tabulator can continue to scan paper ballots while an audio ballot is in session, and it is not necessary to wait for the audio ballot to be completed before inserting the next paper ballot.

## Staff communication

The Managing Officer at each voting location shall act as the single point of contact for all other voting location staff and shall be responsible for communicating questions and requests to the appropriate staff member.

This includes **contacting Ward Officers or the City Clerk's Office if supplies are needed** at the voting location, if there is a security concern, or if the Managing Officer is otherwise unable to answer a question from staff or the public.

Staff communication may be conducted by telephone, email, radio and/or using the instant messaging tool through the Municipal **VoterView system's** election event dashboard.

## Normal circumstances

If an individual arrives at a location and indicates that they are not yet on the **voters' list they will be directed to the revision table. If the individual has an acceptable piece of identification, an election official shall:**

1. review his/her identification and VNC to confirm that the individual meets the criteria to be a voter in the City of Guelph;
2. have the **voter complete an application to amend the voters' list;**
3. add the voter to **the live voters' list; and**
4. direct the voter to the ballot issuing table.

If the individual does not have an acceptable piece of identification, an election official shall decline to add them to the voters' list.

If a voter arrives at a location and indicates that they are already on the **voters' list they will be directed to the ballot issuing table.** An election official will review his/her identification to validate his/her identity and ensure that **their name appears on the voters' list. If he/she does not have the prescribed identification but is listed on the voters' list, the** election official will have the voter swear the prescribed EL26 oath of qualification and complete a Form 9 declaration of identity. **When satisfied that the voter's identity is validated,** the election official shall:

1. provide the appropriate initialed ballot to the voter;
2. provide a secrecy folder to the voter;
3. briefly explain the voting procedure; and
4. strike the voter off of the live **voters' list.**

Upon receiving the ballot, the voter shall:

1. immediately proceed to an unoccupied voting screen, and

2. using the ballot marking pen provided, vote by filling in the designated space next to the candidate of their choice for each office.

After marking the ballot behind the voting screen, the voter shall:

1. insert the ballot into the secrecy folder with the election **official's** initials showing;
2. leave the voting screen without delay; and
3. deliver the secrecy folder containing the ballot to the election official at the vote tabulator.

The election official at the vote tabulator, in the presence of the voter and without removing the ballot from the secrecy folder, shall:

1. verify the initials of the appropriate election official; and
2. insert or assist the voter to insert the secrecy folder containing the ballot, with the initials of the appropriate election official face down into the feed area of the vote tabulator until the vote tabulator draws the ballot from the secrecy folder in full view of the voter.

## Extraordinary circumstances

### Voter declines to vote

A voter may decline to vote by indicating such to an election official at the ballot issuing table. In this case an election official shall:

1. verify his/her identity and ensure that the name appears on the voters' list by reviewing identification or have the voter swear the prescribed EL26 oath of qualification and complete a Form 9 declaration of identity;
2. strike the **voter off the voters' list**;
3. offer a ballot to the voter;
4. when it is declined **the election official will mark the word "declined"** on the ballot, track the number of declined ballots and place the ballot in the designated **"declined" envelope**.

## Tabulator detects a blank ballot

A blank ballot shall be identified as such when placed through the vote tabulator and shall be returned to the election official who will provide the voter an opportunity to review their ballot.

If the voter who delivered the ballot is present but declines to review or accept another ballot, or is not present, the election official shall override the vote tabulator to accept the ballot and re-insert it into the ballot feed of the vote tabulator.

## Tabulator determines an over-vote

If the vote tabulator display shows that the ballot contains an over-vote, the election official shall offer the voter a replacement ballot and mark the **over-voted ballot "rejected", place the ballot in the "rejected" envelope and deliver** another ballot to the voter. The replacement ballot will then be re-inserted into the ballot feed of the vote tabulator.

If the voter who delivered the ballot is present but declines to accept another ballot, or is not present, the election official shall override the vote tabulator to accept the ballot and re-insert it into the ballot feed of the vote tabulator. Votes for over-voted races will not be counted.

## Tabulator determines an under-vote

An under voted office on a ballot shall not be identified as such when placed through the vote tabulator. A ballot with under votes for any office will automatically be accepted and processed by the vote tabulator. Votes will only be counted for those offices marked by the voter.

## Tabulator rejects a damaged or defective ballot

If a ballot is returned by the tabulator and the voter who delivered the ballot is present, the election official shall re-insert the ballot into the feed area of the tabulator.

If the tabulator again rejects the ballot, the election official shall mark the **ballot "rejected", place the** ballot in the designated "rejected" envelope and deliver another ballot to the voter. After the replacement ballot has been marked by the voter, it will then be re-inserted into the ballot feed of the tabulator.

If the voter who delivered the ballot is present but declines to accept another ballot, the election official shall mark the ballot "declined" and insert the original ballot into the "declined" envelope.

If the voter who delivered the ballot is not present, the election official shall re-insert the ballot into the feed area of the vote tabulator.

If the vote tabulator again rejects the ballot, the election official shall mark **the ballot "rejected"**. **The election official** shall in full view of any candidates or scrutineers present, mark a new ballot with the same marks contained in the designated voting spaces on the original ballot, and the replacement **ballot shall be clearly labeled "replacement" and given a serial number which shall also be recorded on the spoiled ballot.** The spoiled ballot shall be **inserted into the "rejected" envelope**, and the election official shall substitute the replacement ballot for the spoiled ballot and feed the replacement ballot into the vote tabulator.

### Tabulator is not operational

If a vote tabulator is not operational at the time that a voter casts his/her ballot, the appropriate election official shall:

1. insert the ballot into the auxiliary compartment of the ballot box until the vote tabulator becomes operational; and then
2. process all ballots stored in the auxiliary compartment through the vote tabulator after the close of the voting location.

### Tabulator malfunctions during the voting process

In the event that a tabulator malfunctions during the voting process and the memory card is still functional, it may be necessary for an adjustment or replacement of the tabulator. If this is necessary, the preferred course of action is to substitute the faulty equipment with a spare vote tabulator.

The following steps shall be performed in order to smoothly and quickly replace the faulty equipment and resume the regular voting activities.

1. The election official shall remove the memory card from the malfunctioning tabulator, and insert the memory card into the replacement tabulator.
2. The election official shall pack up the faulty equipment and set up the substitute vote tabulator. In an effort to expedite the replacement, the election official who delivered the replacement tabulator may assist in packing up the faulty equipment.

3. The election official shall turn on the replacement tabulator and proceed to print a re-start tape. No results are displayed on this tape. The election official shall then sign the re-start tape and leave the tape attached to vote tabulator. The existing ballot box continues to be used to accept ballots that are to be fed through the replacement tabulator for the remainder of the day.

In the event that a memory card malfunctions, the election official shall immediately contact the City Clerk's Office. **Once a replacement tabulator** with new memory cards has been provided, the election official shall:

1. Verify that the replacement vote tabulator and memory cards are operational, power down the malfunctioning tabulator and set it aside in a secure location until the close of the voting location.
2. Affix the new operational tabulator and memory cards onto the ballot box to accept ballots that are to be fed through the tabulator for the remainder of the day.
3. The election official shall turn on the vote tabulator and proceed to print, verify and sign the zero totals report, as was done prior to the opening of the voting location.
4. The ballots in the auxiliary compartment will be fed through the vote tabulator after the close of the voting location.

At no time shall a voter be prevented from voting.

## Closing voting locations

### Advanced voting

At the designated time at which the voting must end on each advanced voting day, an election official will announce that the voting location is closed and lock the doors. They will allow any voters who are in the voting location at the time of the announcement to complete the voting process.

At the end of each advanced voting day, the election official shall:

1. check the auxiliary compartment of the ballot box for ballots to ensure all ballots have been processed;
  - i. if any ballots are in the auxiliary compartment of the ballot box they shall be processed through the vote tabulator;
  - ii. where there are marks on the ballot in the designated voting space(s) but the vote tabulator cannot process the ballot, the election official shall:



- a) **mark the ballot "rejected";**
  - b) prepare a replacement ballot in full view of any candidates or scrutineers present by marking a new ballot with the same marks made on the original ballot, and the **replacement ballot shall be clearly labeled "replacement"** and given a serial number which shall also be recorded on the spoiled ballot;
  - c) record serial number on the COG 12 Record sheet of serial numbers for replaced/declined envelopes form;
  - d) substitute the replacement ballot for the spoiled ballot and feed the replacement ballot into the vote tabulator; and
  - e) place the rejected ballot in the "rejected" envelope.
2. document the number of ballots processed through the vote tabulator on the display. The number will later be recorded on the statement form;
  3. secure the vote tabulator against receiving any more ballots by **invoking the "close voting location" procedure for the tabulator;**
  4. turn off and unplug the vote tabulator;
  5. on the first to second last day of advanced voting, seal the ballot box to ensure that it cannot be re-opened and that no ballots can be placed in the box without breaking the seal and proceed to voting day closing procedures below,
  6. on the final day of advanced voting, remove the ballot bag from the ballot box and seal the bag to ensure it cannot be reopened and that no further ballots can be placed in the bag without breaking the seal and
  7. deliver the vote tabulator, with memory card intact, and all other materials to the designated location at City Hall.

For the advanced voting period, the total of the votes shall not be printed and the tabulation of results shall not be followed until after 8:00 p.m. on voting day.

## Special voting locations

The following procedures shall be followed for the opening and re-opening of special voting locations on voting day:

1. The election official shall, after the close of the first special voting location, check the auxiliary compartment of the ballot box for ballots to ensure all ballots have been processed.
2. If any ballots are in the auxiliary compartment of the ballot box they shall be processed through the vote tabulator.
3. Where there are marks on the ballot in the designated voting space(s) but the vote tabulator cannot process the ballot, the election official shall:
  - i. **mark the ballot "rejected";**
  - ii. prepare a replacement ballot in full view of any candidates or scrutineers present by marking a new ballot with the same marks made on the original ballot, and the replacement **ballot shall be clearly labeled "replacement" and given a serial number which shall also be recorded on the spoiled ballot;**
  - iii. substitute the replacement ballot for the spoiled ballot and feed the replacement ballot into the vote tabulator; and
  - iv. place the rejected ballot in the "rejected" envelope.
4. Look at the display on the vote tabulator and write down the number of ballots processed through the unit. The number will later be recorded on the statement form.
5. Secure the vote tabulator against receiving any more ballots by **invoking the "close voting location" procedure for the tabulator.**
6. Turn off and unplug the vote tabulator, seal the ballot box and the ballot feed slot in the vote tabulator.
7. Relocate the voting machine and all election materials to the next special voting location in that ward.

## Voting day

8. At 8:00pm on voting day, an election official will announce that the voting location is closed and lock the doors. They will allow any voters who are in the voting location at the time of the announcement to

complete the voting process. If the line up extends beyond the doors, election officials will bring voters in line into the voting place prior to closing the doors.

9. The election official shall, after the close of voting, check the auxiliary compartment of the ballot box for ballots to ensure all ballots have been processed.
10. Any ballots removed from the auxiliary compartment of the ballot box shall be processed through the voting machine. Where there are marks on the ballot in the designated voting space(s) but the vote tabulator cannot process the ballot, the election official shall:
  - a. **mark the ballot "rejected";**
  - b. prepare a replacement ballot in full view of any candidates or scrutineers present by marking a new ballot with the same marks made on the original ballot, and the replacement ballot **shall be clearly labeled "replacement" and given a serial number** which shall also be recorded on the spoiled ballot;
  - c. substitute the replacement ballot for the rejected ballot and feed the replacement ballot into the vote tabulator; and
  - d. place the rejected ballot in the designated **"rejected" envelope.**
11. The election official shall then:
  - a. look at the display on the vote tabulator and write down the number of ballots processed through the unit. The number will later be recorded on the statement form;
  - b. secure the vote tabulator against receiving any more ballots by **invoking the "close voting location" procedure for the tabulator;**
  - c. obtain a printed record of vote results given for each candidate;
  - d. sign the certificate portion of the printed record along with any scrutineers or candidates who are present and wish to sign;
  - e. remove the zero totals report and attached printed record of vote results from the vote tabulator and place them in the statement envelope;
  - f. provide additional copies of printouts for any scrutineer upon request;
  - g. turn off the vote tabulator;

- h. remove the ballots bag from the ballot box and seal the bag to ensure it cannot be reopened and that no further ballots can be placed in the bag without breaking the seal; and
    - i. deliver the vote tabulator with memory card intact, all ballot bags and all other materials to the designated location at City Hall.
- 12. If a vote tabulator has been used to tabulate votes cast in a voting place but the tabulation of the votes cannot be completed because the vote tabulator is not operating or cannot be made to operate within a reasonable time following the close of the voting, the election official shall, after the close of the voting and after determining the tabulation cannot be completed:
  - a. seal the ballot box in such a manner that it cannot be opened or any ballots be deposited in it without breaking the seal;
  - b. secure the vote tabulator against receiving any more ballots;
  - c. deliver the ballot box, all supplies, and vote tabulator to City Hall where a back-up vote tabulator is located;
  - d. run an open voting location tape and ensure that the totals of the back-up vote tabulator are zero for all candidates, by-laws and questions;
  - e. insert all the ballots from the ballot box into the back-up vote tabulator, and;
  - f. follow the closing procedures outlined above.

## Results

### Advanced and special voting locations

The Act provides that the total number of votes cast for each candidate at an advanced voting location or at a special voting location that has reduced opening hours shall not be printed and closing procedures not followed until after 8:00pm on voting day.

Once the advanced voting period and the special voting place voting closes, the vote tabulator and ballot boxes containing the ballots cast during the advanced voting period will be securely stored by the City Clerk until 8:00pm on voting day at which time they will then be tabulated by an election official using the same procedure outlined above.

All regular voting locations will close at 8:00pm on voting day. An election official from each voting location will deliver the vote tabulator(s) directly to City Hall after the close of the voting locations. The results for voting day will be tabulated at City Hall by a designated election official who shall:

1. remove the memory card from the vote tabulator;
2. insert the memory card into the memory card reader for upload into the election system software;
3. replace each memory card into its respective tabulator; and
4. re-package and seal the tabulator for storage.

If, at the close of the voting, the City Clerk is of the opinion that it is not possible to count the votes with the vote tabulators, he or she may direct that all the votes cast in the election shall be counted manually following as far as practicable the provisions of the Act governing the counting of votes. The total of votes cast for each candidate, as tabulated by any such manual vote counting process as accepted by the City Clerk is deemed to be final.

As memory cards are downloaded to a computer at City Hall on election night, unofficial results will be displayed and continuously updated on a screen in Council Chambers **and on the City's election website** [www.guelph.ca/vote](http://www.guelph.ca/vote).

The City Clerk shall, at the completion of the count, retain the programs, memory cards, test materials and ballots in the same manner as is provided for in the Act for the keeping of election records and shall not alter or make changes to the materials.

Unofficial results will be made available when all the necessary information has been received and verified.

The City Clerk will make an official declaration of election results as soon as possible after voting day.

## Recounts

In accordance with Section 60 of the Act, if a recount of votes is held, the votes shall be counted in the same manner with the same vote tabulators that were used on voting day.

All vote tabulators to be used in the recount shall be the same tabulators used in the regular election.

The City Clerk shall attend the recount and bring the ballot boxes, vote tabulators, statement envelopes and all documents that, in the opinion of the City Clerk, are relevant to the recount.

The procedure at the recount shall be as follows:

1. A memory card will be inserted into each vote tabulator to be used for the recount.
2. A zero tape will be generated to ensure that no votes are recorded for any candidate.
3. After each tabulator has completed the processing of ballots, a results tape will be generated.
4. Statistics on the results tape relating to offices that are not subject to the recount, will be severed by an election official to ensure that the recount is in compliance with the direction of Council.
5. To obtain the final election results, the memory cards will be removed from the tabulators by City staff and inserted into the memory card reader for upload into the election system software.
6. City staff will replace each memory card in its respective tabulator, and re-package and seal the tabulator.

City staff will process ballots and tabulate the results as follows:

1. Ballot bags will be opened by breaking the seals one bag at a time for each vote tabulator in use. Subsequent ballot bags will be opened in the same manner only after the preceding ballots have been processed and the ballots returned to and sealed inside their original ballot bag.
2. Ballots will be inserted into the vote tabulators face down. Candidates and other observers present during the audit will not be permitted to examine ballots as they are processed through the vote tabulators, and will not be permitted to dispute the validity of any ballot or how the votes on any ballot are counted by the tabulators.
3. In the event of that a ballot is torn or otherwise not accepted by a vote tabulator, where there are marks on the ballot in the designated voting space(s) the following procedure will be followed:
  - a. the ballot will be marked "rejected";
  - b. a replacement ballot will be prepared in full view of any candidates or scrutineers present by marking a new ballot with the same marks made on the original ballot, and the replacement ballot shall **be clearly labeled "replacement" and given a serial number which shall also be recorded on the spoiled ballot;**
  - c. a replacement ballot will be substituted for the spoiled ballot and fed into the vote tabulator; and,
  - d. the spoiled ballot will be placed in the appropriate envelope.

At the conclusion of the recount, the City Clerk will announce the results of the recount and provide a copy of the final recount report to each candidate for the office of the position that was recounted.

A recount shall not be conducted in any other manner or using any other procedure unless otherwise ordered and specified by a judge.

## Financial filings

### Candidates

Candidates are responsible for all financial aspects of their own election campaign. The provisions relative to the financial responsibilities are found under Sections 88.8 to 88.32.

A candidate shall file with the City Clerk a financial statement in accordance with the **legislation reflecting the candidate's election campaign finances**.

Financial statements are still required from candidates who have withdrawn their nomination.

In accordance with Section 88.25 and 88.30 of the Act, a candidate shall file with the City Clerk with whom the nomination was filed a financial statement **and auditor's report, each in the prescribed form, reflecting the candidate's election campaign finances from December 31, 2018 until March 29, 2019 by 2:00 PM.**

The City Clerk or designate will review all financial statements and identify any contributions made to candidates (and third-party advertisers) in excess of the legislated limit. If there are any apparent contraventions, it is required that the City Clerk report these to the Municipal Election Compliance Audit Committee for further investigation.

### Third party advertisers

In accordance with Section 88.29 of the Act, a registered third party shall file with the Clerk of the municipality in which he, she or it registered, a financial **statement and auditor's report, each in the prescribed form, reflecting the registered third party's campaign finances in relation to third party advertisements, on or before 2 p.m. on December 31 in the year of the election.**

## Compliance audit

Every municipality is required to appoint a Compliance Audit Committee. The purpose of this Committee is to receive and review any applications that may be received by an eligible elector who believes that a Candidate has contravened the Act relating to campaign finances.

Candidates should familiarize themselves with the campaign finance requirements and penalty provisions under the Act for themselves or any contributor to their campaign.

The City of Guelph has partnered with the other municipalities in the area to establish one Compliance Audit Committee to act on behalf of each of the municipalities.

## Election records

### Candidates

**Use of the voters' list, list of changes to the voters' list and all other** documentation containing personal voter information shall be protected by the candidate and shall not be used for any other purpose other than the 2018 Municipal Election.

All voter information obtained by the candidate during the 2018 Municipal Election shall be destroyed by the candidate after the election, either by returning the documents to the City Clerk for destruction or by securely shredding or **deleting it from the candidate's computer or other devices.**

As per the proper use of voters' list form signed by each candidate, the voters' list is for election purposes only and if records are shared by the candidates with others, such as campaign workers, they are prohibited by the Act from using the list for commercial or any other purposes and all shared and associated election records shall also be protected and destroyed, once the election has taken place.

### City Clerk and election officials

Subject **to a judge's order or recount proceedings, after 120 days from the** declaration of the election results the City Clerk shall destroy the ballots in the presence of two witnesses. The City Clerk may also destroy any other election documents and materials related to the election records with the



exception of the campaign financial statements filed by the candidates, in accordance with Section 88(4) of the Act.

**Prior to the destruction of records, a “records destruction form” must be completed and approved by the City Clerk’s Office in accordance with the City of Guelph retention by-law and corporate destruction process. As the destruction of election records is carried out, the two witnesses shall complete the “witness statements as to the destruction of ballots” form.**

The ballots and any other documents shall not be destroyed if a court orders that they be retained or if a recount has been commenced and not finalized within 120 days.

The City Clerk shall retain candidate financial statements and auditor’s report until the next regular election has taken place to elect members of council or a local board for the following term.

## Corrupt practices, offences and penalties

Sections 89 and 90 of the Municipal Elections Act provides for penalties and enforcement of corrupt practices and other offences during an election process.

These include a person who:

- votes without being entitled to do so;
- votes more times than this Act allows;
- induces or procures a person to vote when that person is not entitled to do so;
- **before or during an election, publishes a false statement of a candidate’s withdrawal;**
- furnishes false or misleading information to a person whom this Act authorizes to obtain information;
- without authority, supplies a ballot to anyone;
- deals with a ballot, without having authority to do so;
- attempts to do something described above.

An individual who is convicted of an offence is liable to penalties that include but are not limited to a maximum fine of \$25,000 and or a maximum imprisonment of six (6) months.

## Emergencies

In accordance with Section 53 of the Act, the City Clerk may declare an emergency if he/she is of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with the Act.

Upon declaring an emergency, the City Clerk is authorized to make any arrangements he/she considers advisable for the conduct of the election.

The arrangements made by the City Clerk, if they are consistent with the principles of the Act, prevail over anything in the Act and the regulations made under it.

If made in good faith, the City **Clerk's declaration of emergency and** arrangements shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.

The emergency continues until the City Clerk declares that it has ended.

## Definitions

For the purposes of these procedures,

Act— means the Municipal Elections Act, 1996, S.O. c 32 as amended.

Advanced voting period— means the period of voting prior to voting day in accordance with the Act.

Auxiliary compartment— means the compartment of the ballot box where **voters' ballots are temporarily stored in the** event that a vote tabulator fails to operate.

Ballot— means a ballot prepared under subsections 41(1), 41(2) and 41(6) of the Act.

Ballot-Marking Pen— means the designated ballot-marking pen provided by an election official for the use of a voter to mark the ballot.

Ballot bag— means the bag affixed on the inside of the ballot box which all ballots will be deposited into after being processed through a tabulator. After the close of voting the ballot bag is removed from the box and sealed and used to transport the ballots to a location designated by the City Clerk.

Blank ballot— means a ballot that could not be read by the vote tabulator because the ballot was completely blank or the marks on the ballot were in an area where the marks could not be read by the vote tabulator.

Candidate— means a person who has filed a nomination paper and has been certified by the City Clerk.

City Clerk— means the Returning Officer for the municipal election or his/her designate.

Declined ballot— means a ballot that been refused by a voter when they decline their right to vote with an election official at the ballot issuing table.

Election official— means any person designated by the City Clerk to perform certain election **functions. The term "election official" includes but is not limited** to the following: Deputy Returning Officer, Election Coordinator, Election Assistant(s), Managing Officers, Ballot Officers, Revision Officers and Tabulator Officers.

Election website— means the 2018 Municipal Election website [www.guelph.ca/vote](http://www.guelph.ca/vote).

Internet Voter Lookup (IVL)— means the online tool used by voters to check if **they are on the voters' list and to submit an online application to amend the voters' list form. The Internet Voter Lookup tool is integrated with the Municipal VoterView system and is also provided by the City's Voters' List provider.**

Memory card— means a removable device where all tabulated ballot totals are stored.

Municipal VoterView (MVV) — means **the electronic voters' list management system provided by the City's Voters' List provider.**

Office— means an elected position which is governed by the Act (i.e. Mayor, Councillor, School Board Trustee).

Over-vote— means when an office on the ballot has been marked to select more than the number of candidates indicated as permitted on the ballot. At voting locations, the tabulator will indicate when a ballot has over-voted offices and the voter will be given an opportunity to remark a new ballot or cast the over-voted ballot. If a ballot is cast with an over-voted office, no votes will be counted for that office.

Proxy voter— means an appointed voter who casts a ballot on behalf of another voter who is unable to vote. A person is allowed to act as a proxy only once for a non-related person. A person is allowed to act as a proxy more than once if they are voting on behalf of immediate family members (spouse, sibling, parent, children, grandparent, and grandchild). However, they cannot act as a proxy for both family members and a non-related person for the same election. A voting proxy is appointed using a proxy form that is certified and approved by **the City Clerk's Office.**

Rejected ballot— means a ballot that is not able to be processed by the tabulator and where a replacement ballot must be issued. A rejected ballot may be spoiled, damaged or marked in such a way that it cannot be processed by the tabulator.

Scrutineer— means a person appointed in writing by a candidate to oversee the voting process at a specific voting place or during results tabulation.

Secrecy folder— means an apparatus in which a ballot can be placed so as to conceal the names of the candidates and the marks upon the face of the ballot.

Special voting locations— means a voting place that has been designated in accordance with Section 45. (7) of the Act.

Under-vote— means when a ballot has been marked to select less than the number of candidates indicated as permitted on the ballot. Voters are allowed to under-vote a ballot if they choose. If a paper ballot is cast with an under-voted office, the tabulator will not indicate this, and those votes cast will be counted.

Valid mark— means a mark made, in accordance with the instructions on the ballot, **in the designated space on the ballot next to a candidate's name** using the black ballot-marking pen provided by the election official.

Vote tabulator— means a machine that digitally scans the ballots to read the votes and tabulate the results on a memory card.

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.

Voters' list— means information prepared by the City Clerk, enumerating the names and voting entitlement of voters as provided by the Municipal Property Assessment Corporation (MPAC) and as amended in accordance with the Act.

Voters' list provider— means Datafix.

Voter notification **cards (VNC's)**— means the correspondence containing election information to be sent by the City Clerk to all **voters on the voters' list in Guelph** at the end of September 2018.

Voting day— means the day on which the final votes will be taken in accordance with Section 5 of the Act. This Municipal Election voting day will be Monday, October 22, 2018.

Voting location— means the physical location (building) and its surrounding property which has been designated by the City Clerk under Section 45 of the Act and where voters may attend to cast their vote using a vote tabulator in the Municipal Election.

Voting screen— means an area designated to provide privacy to a voter while they mark the ballot.

## Contact information

For more information about the 2018 Municipal Election, you can contact the **City Clerk's Office** by:

Telephone 519-837-5625

TTY 519 826-9771

Email [guelphvotes@guelph.ca](mailto:guelphvotes@guelph.ca)

Website [www.guelph.ca/vote](http://www.guelph.ca/vote)

In-person City Clerk's Office  
1 Carden Street, 4<sup>th</sup> floor  
Guelph, ON  
N1H 3A1

# APPENDIX A

Table 1 - Index of forms for the 2018 Election

Provincial Statutory Forms	
Form Number	Form Name
Form 1	Nomination Paper
Form 2	Ballot
Form 3	Appointment for Voting Proxy - English
Form 3	Appointment for Voting Proxy - French
Form 4	Financial Statement – <b>Auditor’s Report</b>
Form 5	Financial Statement – Subsequent Expenses
Form 6	Notice of Extension of Campaign Period
Form 7	Notice of Registration (Question on the Ballot)
Form 8	<b>Financial Statement Auditor’s Report (Question on the Ballot)</b>
Form 9	Declaration of Identity
Municipal Forms	
Form Number	Form Name
EL07	List of Certified Candidates
EL08	Certificate of Election Results
EL11	Appointment and Oath of Election Officials
EL12(A)	Appointment of Scrutineer by Candidate
EL12(B)	Oral Oath of Secrecy for Scrutineer or Candidate
EL14	<b>Candidate’s Declaration – Proper Use of Voter’s List</b>
EL15(A)	Application to Amend Voters List - English
EL15(B)	Application to Amend the Voters List - French
EL16	<b>Application for Removal of Another’s Name from the Voter’s List</b>
EL17(A)	Nomination Paper
EL17(B)	Notice of Additional Nominations
EL18(A)	Declaration of a Qualified Candidate – Mayor and Council
EL18(B)	Declaration of a Qualified Candidate - School Trustee
EL19	Withdrawal of Nomination
EL20	Declaration of Acclamation
EL22	<b>Certificate of the Voters’ List</b>
EL25(A)	Certificate and Receipt for Ballots
EL25(A)	Certificate and Receipt for Ballots (Advanced)
EL25(A)	Certificate and Receipt for Ballots (Managing Officer/Rover)
EL25(A)	Certificate and Receipt for Ballots (Managing Officer)
EL26(A)	Oral Oath of Qualification - English
EL26(B)	Oral Oath of Qualification - French
EL27(A)	Oral Oath of Friend or Interpreter or Incapacity to Vote Without Assistance - English
EL27(B)	Oral Oath of Friend or Interpreter or Incapacity to Vote Without Assistance - French
EL29(A)	Voting instructions (Manual Count Ballot)
EL32	Declaration of Election Candidate
EL35	Notice of Offence, Notice of Corrupt Practice
EL37(A)	Certificate of Maximum Campaign Expenses - Candidate
EL37(B)	Certificate of Maximum Amount of Contributions - Own Campaign
EL37(C)	Certificate of Maximum Amount of Expenses for Parties Etc. - Candidate

EL38	Witness Statements as to Destruction of Ballots
EL39	Notice of Recount
EL40	Recount Results
EL41	Declaration of Recount Results
EL42(A)	Notice to Candidate of Filing Requirements
EL42(B)	Notice to Registered Third Party of Filing Requirements
EL43(A)	Notice of Default - Candidate
EL43(B)	Notice of Default - Registered Third Party
EL46	Ballots Account
EL46 (A)	<b>Managing Officer's Final Statement (Advance)</b>
EL46 (B)	<b>Managing Officer's Final Statement</b>
EL46 (C)	<b>Managing Officer's/Rover Final Statement</b>
EL47(A)	Election Official Application - Internal
EL47(B)	Election Official Application - External
EL50	Proxy Voting Procedures
EL51(A)	Sample Voting Place Floor Plan – Regular
EL51(B)	Sample Voting Place Floor Plan – Special Voting Locations
EL53	Application to Re-issue <b>Voter's Information Letter</b>
City of Guelph Forms	
<b>Form Number</b>	<b>Form Name</b>
COG 1	Acceptable Documents for Voter Identification
COG 2	Affidavit of Common Law Status
COG 3	Affidavit of Residence (no permanent lodging place)
COG 4	Application for Compliance Audit
COG 5	Election Signs Information
COG 6	Municipal Election Sign form
COG 7	Procedures for how to find out if someone is on the list and how to make changes to the list
COG 8	Oath of Representative of Institution Completing Form EL15 on behalf of Resident
COG 10	Vote Tabulator Statement (Advanced Voting Location)
COG 11	Vote Tabulator Statement (Rover)
COG 12	Record sheet of serial numbers for replaced/declined envelopes
COG 13	Written instructions of accessibility devices
COG 14	Notice of Collection and Consent to Release Personal Information
COG 15	Job Description – Mayor/Councillor

Required forms will be made available on the City's election website as they are finalized.