

VOTE BY MAIL POLICIES AND PROCEDURES

“Vote by Mail” shall apply to all voting in the 2010 Municipal Election in the Municipality of Lambton Shores. The purpose of this document is to establish procedures for the conduct of the election.

DEFINITIONS:

“CLERK” shall mean the Clerk of the Municipality of Lambton Shores.

“COUNCIL” shall mean the Council of the Municipality of Lambton Shores.

“COUNTING LOCATION” shall mean the Forest Community Foundation Gymnasium, The Shores Recreation Centre, 7883 Amtelecom Parkway, Forest, Ontario.

“MUNICIPAL OFFICE” unless otherwise specified, shall mean the Municipality of Lambton Shores – Forest Municipal Office.

1. PROCEDURES FOR VOTE BY MAIL (Section 42(3))

- a) The Council of the Municipality of Lambton Shores enacted By-law 20-2003 on May 5, 2003, authorizing the use of Vote by Mail as an alternative voting method for the 2003 Municipal Election and in subsequent elections. The Municipal Elections Act, 1996 provides that 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. Pursuant to By-law 20-2003, Council has authorized the elimination of advance votes and proxy voting.
- b) Section 42(3) of the Act requires that the Clerk establish procedures and forms for the use of any alternative voting method and provide a copy of the procedures and forms to each candidate. The purpose of this document is to establish procedures for the use of the vote by mail method of election that are consistent with the principles of The Municipal Elections Act, 1996. It is noted that the Clerk, in the role of Returning Officer, may need to vary from these prescribed rules from time to time if necessary.
- c) The “Vote by Mail” option is used to ensure that every eligible elector has an opportunity to exercise his/her right to vote.
- d) If it is necessary to amend any of these procedures, a copy of the amendment will be mailed to each candidate at the address shown on the nomination form or faxed to the number shown on the nomination form.
- e) With respect to matters of policy and procedures for alternative voting methods, the Clerk’s decision is final.
- f) The place where ballots will be counted on voting day is Forest Community Foundation Gymnasium, The Shores Recreation Centre, which is referred

to herein as the Counting Location. Results will be posted in the public assembly portion of the Forest Community Centre as soon as they become available. Results will also be posted at the three Municipal Offices and the Municipal Website the next business day.

- g) Emergency Plan: It is impossible to predict if an emergency will occur, and if so, to what extent the conduct of the election will be affected. In the event of an emergency, the Clerk may, in accordance with section 53 of the Municipal Elections Act, declare an emergency and make such arrangements as are considered necessary for the conduct of the election.

2. VOTE BY MAIL PROCEDURE (2010)

Where an election is required to be held for an office, the vote by mail procedure shall be as follows:

- a) On approximately September 27, 2010 Canada Post will begin delivery of voter kits to electors that are on the voters' list as of **September 13, 2010**. After this date, voter kits will be delivered manually by the Returning Officer.
 - i When mailed to an elector the kit containing all materials required to vote is referred to as a "voter kit". A voter kit will contain a ballot, instructions for completing the ballot, a voter declaration, a ballot envelope and a pre paid business reply envelope.
 - ii Once received by the municipality, the sealed business reply envelope will be referred to as a "ballot package" and the sealed ballot envelope will be referred to as a "ballot envelope".
- b) On receipt of the voter kit, each elector should follow the instructions provided in the kit exactly. The instructions require the elector to:
 - i Complete the ballot;
 - ii Insert the ballot into the ballot envelope;
 - iii Seal the ballot envelope;
 - iv Complete and sign a voter declaration, swearing that the person completing the ballot is an eligible elector; and entitled to vote in the municipal election;
 - v Place the completed voter declaration form and the ballot envelope into the business reply envelope;
 - vi Seal the business reply envelope; and
 - vii Mail the business reply envelope by **October 14, 2010** or deliver it by some other means to the Lambton Shores Forest Municipal Office no later than 8:00 p.m. on **October 25, 2010**.

Note: The postage paid envelope is only applicable for mail originating within Canada.

- c) **October 14, 2010** is the final day to mail a ballot package.
- d) Electors who have failed to mail their ballot package by **October 14, 2010** are encouraged to take steps to ensure alternate delivery of ballot packages to the Lambton Shores – Forest Municipal Office prior to 8:00 p.m. on Election Day.
- e) The ballot provider has a record of all electors on the voters' list provided by the Regional Assessment Office, and has received a list of all electors added to the list up to and including **September 13, 2010**.
 - i Electors on or added to the list up to **September 13, 2010** will receive their voter kit by mail from Canada Post.
 - ii Electors added to the list between **September 13, and October 4, 2010** will receive their voter kit by mail from the Clerk at the Lambton Shores Forest Municipal Office.
 - iii **After October 4, 2010** it is recommended that those persons making application to add their names to the list do so in person or by an agent at the Municipal Office. If the application is certified by the clerk, a voter kit will be issued at that time.
 - iv It must be emphasized that, in a vote by mail system, the onus is on eligible electors to ensure that their names are on the voters' list. Due to time constraints the clerk cannot ensure that voter kits mailed after **October 4, 2006** will reach electors in time for them to exercise their right to vote.
 - 1) Where it is not possible to mail a voter kit to an elector, and if the elector undertakes to pay the cost of courier service, the clerk will arrange for a voter kit to be delivered to the elector by courier, collect only.
- f) If an elector on, or added to, the voters' list does not receive a voter kit, or if the kit is lost or destroyed, a replacement kit may be issued. The elector or his agent may attend at the Lambton Shores – Forest Municipal Office to obtain a replacement kit. The Clerk or designate will confirm that the elector is qualified, administer an appropriate oath, and issue the replacement voter kit. The master voters' list and declaration form will be marked to indicate that a replacement kit was issued.
- g) Blank voter kits will be stored in at the Lambton Shores – Forest Municipal Office.

3. PROCEDURE ON RECEIPT OF BALLOT PACKAGES AT THE LAMBTON

SHORES FOREST MUNICIPAL OFFICE

- a) Ballot packages which are received at the Lambton Shores Forest Municipal Office will be stored in the Municipal Office for safekeeping until the designated time for the ballot packages to be opened in accordance with the procedure set out in Section 4.
- b) The opening of ballot packages between **October 4, 2010 and October 25, 2010** is for the purpose of processing voter declaration forms, updating voters' list and placing sealed ballot envelopes into the ballot boxes.
- c) Electors attending in person at the Lambton Shores – Forest Municipal Office on **October 25, 2010** to exercise their right to vote shall complete their vote in accordance with the instructions contained in the voter kit, and deliver the ballot package to an Election Assistant. There will be an area designated at the Lambton Shores – Forest Municipal Office for electors to complete their vote in privacy.
- d) At designated times and locations, as noted below, ballot packages will be opened by election officials and dealt with as noted in Section 4.

Monday to Friday, October 4 – and October 25, 2010, between the hours of 8:30 a.m. and 4:30 p.m., as required.

- e) Depending on volume of returns, fewer or additional days will be scheduled for opening of ballot packages.

4. OPENING OF BALLOT PACKAGES PRIOR TO COUNTING

At the designated time and location, a Deputy Returning Officer, in the presence of at least one other election official, will open ballot packages which have been received at the Lambton Shores – Forest Municipal Office, and will:

- a) Remove the ballot envelope and elector declaration from the return envelope.
 - 1. If a ballot package contains a different number of elector declarations than the number of ballot envelopes that are contained within the same ballot package, the ballot(s) will be rejected.
 - 2. If a ballot package contains an elector declaration which has not been signed, the ballot may be rejected. The elector declaration and ballot will be stapled together and filed alphabetically by ward, and every attempt will be made to contact the elector and advise him/her that the voter declaration must be signed and providing an opportunity for the elector to attend at the Lambton Shores – Forest Municipal Office to sign the form. (Identification will be required).
 - 3. If a ballot envelope contains writing or marks that may identify the

elector, or is torn or defaced or otherwise dealt with by the elector in a way that may identify him or her, the ballot may be rejected.

4. Since the ballot package will be opened and separated from the ballot secrecy envelope prior to counting, and the ballot envelope is not marked, but is unsealed, these ballot secrecy envelopes will not automatically be rejected. The decision of the Deputy Returning Offices as to whether or not to accept the ballot is final.
5. Where a ballot secrecy envelope is rejected, the reason for the rejection shall be recorded by numbering the ballot envelope and noting the reason for the rejection on a separate Rejected Ballots Record. If the voter's name can be determined, a notation will be made beside his/her name on the voters' list.
 - b) Update the voters' list by striking the name of the elector.
 - c) File the elector declaration alphabetically, by ward.
 - d) Place the ballot secrecy envelope in the appropriate ballot box and keep a running tally of the number of ballot secrecy envelopes in that box. (In order to facilitate counting on Election night, a maximum number of ballots per box will be predetermined). Once the box contains the predetermined number of ballots, the box will be sealed, numbered sequentially and stored. A new box for that ward will then be used.

ie: Ward 3, Box 1 – once this box contains the predetermined number of ballot envelopes, it will be numbered accordingly and sealed. A new ballot box, numbered Ward 3, Box 2 will be used.
 - e) A list of the people who have cast their votes will be available to the candidates to review at their convenience during regular office hours.
 - f) After all ballot packages received each day have been processed, affix a seal to each ballot box, initial the seal and place the sealed ballot box.
 - g) At the next designated time, retrieve the ballot boxes, inspect the seals to ensure that they are intact, and break the seals to access the slots for use.
 - h) On voting day, the ballot boxes and other required election material will be taken to the Counting Location

5. COUNTING OF BALLOTS

- a) No earlier than 3:00 p.m. on October 25, 2010, 2 election workers will be secured at the Counting Location, and will proceed to slice open the ballot envelopes and return them to the ballot box **without removing the ballot**. The ballot box will then be resealed, and placed at the appropriate counting station.

- b) At 8:00 p.m. on October 25, 2010 at the Counting Location, ballot boxes will be opened, and the ballots removed, sorted and counted. Only those persons eligible to be in the counting place will be allowed to remain. No one will be admitted after 8:00 p.m.
- c) Ballot Packages received after 8:00 p.m. on Voting Day will be date stamped, will not be counted and will be placed in a secure box and retained for the statutory document retention period.
- d) Counting of the ballots, completion of the statements of results and handling of election materials will proceed as set out in the Municipal Elections Act 1996, subject to whatever modifications may be required due to the vote by mail process.

6. BALLOT RECONCILIATION

- a) Reconciliation of ballots will be based on:
 - number of voter kits mailed to electors
 - number issued through the revision process
 - number returned undelivered and returned by Canada Post
 - number returned in time to be counted
 - number returned after close of voting
- b) Statistical analysis of “voter turnout” will be drawn from the reconciliation process and by counting the number of ballots dealt with on Voting Day as set out in the Statement of the Deputy Returning Officer.
- c) In a traditional election, reconciliation of ballots is a means of ensuring that the number of ballots handed out is the same as the number of ballots returned. It must be noted that, in the vote by mail process, the reconciliation is only meaningful in terms of election statistics.