



2024 Municipal By-Election Question on the Ballot / Referendum
Election Procedure Manual

Approved by the Clerk/Returning Officer for The Municipality of South Bruce on August 22,
2024.

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1 Authority

A by-election has been authorized by By-law 2024-45 being A By-Law to Submit a Question to the Electors in a 2024 By-Election on October 28, 2024.

The 2024 Municipal By-Election Question on the Ballot / Referendum Election Procedure Manual for The Municipality of South Bruce has been prepared in accordance with the provisions of Section 42(3) of the *Municipal Elections Act, 1996*, as amended.

The Municipality of South Bruce will be using the telephone and internet voting methods in the 2024 Municipal By-Election, as authorized by By-law Number 2024-46 being A By-Law to authorize the Use of Internet and Telephone Voting as an Alternative Voting Method for the 2024 Municipal By-Election and Advance Voting, and pursuant to the provisions of Section 42 of the *Municipal Elections Act, 1996*, as amended.

Subsections 42(3) and (4) 1. ii. of the *Municipal Elections Act, 1996*, as amended, provides that, no later than 60 days before the first day on which an elector can vote, the Clerk shall establish procedures and forms for the use of any alternative voting method authorized by by-law.

Subsection 42(4) 2. of the *Municipal Elections Act, 1996*, as amended, provides that the procedures and forms established by the Clerk, if they are consistent with the principles of the *Municipal Elections Act, 1996*, as amended, prevail over anything in the Act and the regulations made under it.

When the Election Procedure Manual for The Municipality of South Bruce does not provide for any matter, an election to which this procedure applies shall be conducted as far as practicable in accordance with the principles of the *Municipal Elections Act, 1996*, as amended.

Section 11 of the *Municipal Elections Act, 1996*, as amended, states that the Clerk of the local municipality is responsible for conducting elections within that municipality and for:

- a) preparing for the election
- b) preparing for and conducting a recount in the election, and
- c) maintaining peace and order in connection with the election.

Section 12 of the *Municipal Elections Act, 1996*, as amended, provides that, with respect to the duties and authority of a Municipal Clerk:

- 12. (1) A Clerk who is responsible for conducting an election 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.
- (2) The power conferred by subsection (1) includes power to establish forms,

including forms of oaths and statutory declarations and power to require their use.

(3) The power conferred by subsection (1) includes power to require a person, as a condition of doing anything or having an election official do anything under this Act, to furnish proof that is satisfactory to the election official of the person's identity or qualifications, including citizenship or residency, or of any other matter

While Section 13 of the *Municipal Elections Act, 1996*, as amended, provides:

13. (1) Any notice or other information that this Act requires the Clerk to give shall be given in a form and manner and at a time that the Clerk considers adequate to give reasonable notice or to convey the information as the case may be.

(2) The Clerk shall provide electors and persons who are eligible to be electors with information to enable them to exercise their rights under the *Municipal Elections Act, 1996*, as amended.

Subsection 42(5) further states that, when a by-law authorizing the use of an alternative voting method is in effect, Sections 43 (advance votes) and 44 (proxy votes) apply only if the by-law so specifies. By-Law 2024-46 as amended, provides for advance voting but does not allow for proxy voting, therefore a person cannot give her/her Voter Information Letter to another eligible elector for the purpose of proxy voting. Definitions shall be as set out in the *Municipal Elections Act, 1996*, as amended, and as provided for in the Election Procedure Manual.

2 Disclaimer

The 2024 Municipal By-Election Question on the Ballot / Referendum Election Procedure Manual for The Municipality of South Bruce has been prepared to provide general guidance for the 2024 Municipal By-Election.

In the event of any discrepancy in the Election Procedure Manual, the *Municipal Elections Act, 1996*, as amended, shall take precedence except as provided for in Section 42(4) of the *Municipal Elections Act, 1996*, as amended.

Amendments may be made to the Election Procedure Manual at the discretion of the Clerk.

Any unforeseen cases which are not addressed in these procedures will be recorded, action taken and reflected in an addendum signed by the Clerk to these procedures and posted on the website.

3 Language

Notices, forms and other information provided under the *Municipal Elections Act, 1996* shall be made available in English only, unless the council of the municipality has passed a by-law

under subsection (2).

4 Declaration

Therefore, as Clerk and Returning Officer for the municipal elections of the Corporation of The Municipality of South Bruce, I do hereby certify and approve the following procedures for conducting the 2024 Municipal By-Election;

And further establish that the forms listed in Appendix A below are permitted to be used during this election process.

And further establish that the Revisions and PINs manual listed in Appendix B are permitted to be used during this election process.

Vivian Kennedy, Clerk/Returning Officer

5 Definitions and Abbreviations

For the purposes of these procedures, the following definitions and abbreviations shall apply:

Term	Definition
Act, MEA, or “Municipal Elections Act, 1996”	means the <i>Municipal Elections Act</i> , S.O. 1996 c. 32, as amended.
Advance Voting Period	means the time during the Voting Period in which eligible electors may cast ballots before Voting Day in an election.
Auditor	means the person appointed by the Clerk to validate the logic and accuracy of a Voting System used in an election.
Ballot	means an image on an internet-enabled device of a ballot for an election to be voted for, including all choices available to the electors and containing spaces in which the electors mark their votes, or when voting using a telephone or wireless phone, an audio set of instructions which describe all choices available to the electors and instruction to mark their selection by depressing the numbered touchtone keypad.
Clerk	means the Clerk of The Municipality who is responsible for conducting this election under the authority of the <i>Municipal Elections Act, 1996</i> .
Election Official	means any Election Staff bearing the authority to make a decision on a matter based on their assigned role as authorized by the Clerk in respect to an election.
Election Staff	means any individual that is assigned a role and/or responsibilities by the Clerk in respect to an election.
Elector	means an individual eligible to vote in an election for The Municipality.
Friend	means a person who has been requested by an Elector to assist them in the voting process in accordance with the <i>Municipal Elections Act, 1996</i> .
Municipal Office	means the municipal administration building located at: 21 Gordon Street, East, Teeswater, ON N0G 2S0
Municipality, The	means the Corporation of The Municipality of South Bruce, Ontario.

Term	Definition
Password	means an additional access control word assigned to each authorized user to provide additional security for access to the Voting system.
Personal Identification Number (PIN)	means a unique multiple digit number assigned to each elector to provide security for access to the Voting System.
Preliminary List of Electors	means a list of eligible electors compiled for an election in The Municipality by the Chief Electoral Officer.
Receiving Location	means the location where the Voting System is activated and where election results are reported, which shall be the Council Chambers located at the Municipal Office.
Registered Third Party Advertiser	means an individual, corporation or trade union that is registered under section 88.6 of the <i>Municipal Elections Act, 1996</i> .
Revision Centre	means the locations and times designated by the Clerk where members of the public can apply to make additions, deletions, and corrections to the list of electors.
Satisfactory Identification	means any piece of identification or personal information which would verify the identity of an individual to the satisfaction of an Election Official in accordance with the Ministry of Municipal Affairs and Housing (MMAH) list of “Acceptable Documents for Voter Identification”, Ontario Regulation. 304/13 (Voter Identification), or any other identification criteria established by the Clerk.
Scrutineer	means an individual appointed by resolution (per s.16(5)) by The Municipality in relation to voting on a by-law or question submitted to the electors, to attend at a voting place and at the counting of votes, including a recount.
Voter Assistance Centre	means a location provided by The Municipality to assist electors with the Telephone/Internet Voting process or other general election inquiries including a location to make revisions to the voters list.
Voter Help Desk	means an email address and a telephone help line provided by The Municipality to assist electors with the voting process or other general election inquiries.
Voter Information Letter	means a letter mailed directly to an Elector's address that provides information necessary for the elector to exercise their right to vote.

Term	Definition
Voters' List	means the list of eligible Electors in an election in The Municipality.
Voting Day	means the final day on which ballots may be cast in an election in The Municipality.
Voting Station Equipment	means a physical internet-enabled device at a Voter Assistance Centre which is specifically configured to permit electors to cast a ballot on the Voting System during an election.
Voting Period	means the time during which Electors may cast ballots using the Voting System provided in an election and includes both the Advanced Voting Period and Voting Day.
Voting System	means the platform(s) chosen by The Municipality to provide electors with a means of casting their ballot in an election.

6 Application

1. This procedure applies to the 2024 Municipal By-Election in The Municipality.
2. The procedures and forms established by this document prevail over anything in the Act and its regulations, provided that they are consistent with the principles of the Act as per Subsection 42(4) 2. of the *Municipal Elections Act, 1996*.
3. Where these procedures do not provide for any matter, the election shall be conducted in a manner that is both practicable and consistent with the principles of the *Municipal Elections Act, 1996*, with the same being determined and established by the Clerk.
4. These procedures may be amended, as necessary and deemed appropriate, by the Clerk. Any amendment to these procedures shall be signed by the Clerk and a copy of the amendment(s) shall be provided forthwith to all registered third party advertisers.

7 Secrecy

1. The Clerk shall require all Election Official(s) and/or other persons working in connection with the municipal elections to swear or affirm an oath of secrecy (form EL11), committing to upholding the secrecy provisions established in Section 49 of the Act.
2. No person shall interfere or attempt to interfere with an elector while in the process of accessing the Telephone/Internet Voting service or interfere or attempt to

interfere in the voting process while using the Telephone/Internet Voting service unless expressly requested and authorized by an elector to provide assistance.

3. No person shall obtain or attempt to obtain information about how an elector intends to vote or has voted. Any individual requested by an elector to assist him or her in voting is required to maintain the secrecy of the vote(s) cast by the elector and, if marking the ballot on behalf of the elector, shall vote according to the instructions and wishes of the elector.
4. No person shall communicate any information that might have been inadvertently obtained about how an elector intends to vote or has voted.
5. No elector shall reveal how they intend to vote while in a Voter Assistance Centre, except for the purposes of obtaining assistance in voting from either a Friend or an Election Official. Any other person present must withdraw until the voter finishes instructing the Friend or Election Official, as the case may be.
6. All electors voting at a Voter Assistance Centre may vote with the assistance of a Friend. However, the Friend shall be required to take the appropriate oath (form EL27) prior to providing assistance, to be administered by an Election Official. No person shall be allowed to act as a Friend to more than one voter at a Voter Assistance Centre with the exception of an election official.
7. All complaints regarding breaches of secrecy may be investigated by the proper authorities and may be prosecuted according to the provisions of "Offences, Penalties and Enforcement" under Sections 89 through 94 of the *Municipal Elections Act, 1996*.

8 Third Party Advertising

A Third Party Advertiser means an individual who is normally a resident in Ontario, a corporation that carries on business in Ontario or a trade union that holds bargaining rights for employees in Ontario, and who's Notice of Registration for Third Party Advertiser has been certified by the Clerk.

8.1 Eligibility for Registration [Section 88.6 (4), (5) and (6)]

Registration shall be restricted to the following persons and entities:

- An individual who is normally resident in Ontario.
- A corporation that carries on business in Ontario.
- A trade union that holds bargaining rights for employees in Ontario.

The following persons and entities are deemed ineligible to register:

- A federal political party registered under the Canada Elections Act or any federal

constituency association or registered candidate at a federal election endorsed by that party.

- A provincial political party, constituency association, registered candidate or leadership contestant registered under the Election Finances Act.
- The Crown in right of Canada or Ontario, a municipality or local board.

8.2 Filing the notice of registration [Section 88.6 (2), (10) and (13)]

“Notice for Registration” Prescribed Form 7 shall be filed with the Clerk no earlier than Thursday, August 29, 2024 (being 60 days before Voting Day) to Friday, October 25, 2025 (the Friday before voting day) during regular office hours in the following manner:

- in person
- no faxed or other electronically transmitted registration notices will be accepted – original signatures required
- with proof of identity as prescribed in O. Reg. 304/13, as amended
- with the declaration of qualification, signed by the individual or by a representative of the corporation or trade union
- a resolution from the corporation or trade union that authorizes the person or agent to register on their behalf, if applicable

The Clerk shall administer the Declaration of Qualifications on the “Notice for Registration” Prescribed Form and the “Declaration of Qualifications – Third Party Advertiser” Form oaths to the individual or to the representative of the corporation or trade union. The date and time of filing are to be filled in by the Clerk and initialled by the individual or by a representative of the corporation or trade union. The Clerk will then sign the Notice for Registration and Declaration of Qualifications and when satisfied certify the notice of nomination.

8.3 Estimated Maximum Third Party Expenses [Section 88.21 (15)]

The Clerk shall calculate the estimated maximum third party expenses and expenses for parties after voting day for registered third parties on the “Estimated Maximum Third Party Expenses” Form EL50(C) and provide a copy to the individual filing the registration. The Clerk’s calculation is final.

8.4 Notice of Penalties [Section 88.29 (7)]

The Clerk shall, at least 30 days before the filing date, provide a notice of the penalties on the “Notice to Registered Third Party of Filing Requirements” Form EL42(B) to every Registered Third Party that registered in The Municipality.

8.5 Final Calculation of Third Party Expenses [Section 88.21 (11) to (17)]

The Clerk shall, after determining from the number of eligible electors from the Voters’ List, calculate the maximum amount of third party expenses and expenses for parties after voting

day that each registered third party may incur and prepare a “Maximum Third Party Expenses” Form EL51(A). The certificate shall be given to each individual that filed a Notice of Registration for Third Party Advertising within 10 days after the Clerk makes the corrections under subparagraph 4 iii of subsection 65 (4) or subparagraph 3 ii of subsection 65 (5).

The number of electors to be used in this final calculation is to be the greater of the following:

- the number determined from the Voters’ List from the previous regular election, as it existed on September 20, 2022, adjusted for changes under Section 24 and 25 that were approved as of that day;
- the number determined from the Voters’ List for the by-election as it exists after the clerk has made corrections. [Section 88.21 (12)]

The Clerk’s calculation is final and shall be made in accordance with the prescribed formula in Ontario Regulation 101/97.

8.6 Certification and Notice of Registration [Section 88.6 (13) and (14)]

The Clerk will do a review of each notice received to determine qualification and if the notice complies with the *Municipal Elections Act, 1996*. Once satisfied the third party is qualified, the Clerk will complete the “Certification by Clerk” section on the “Notice of Registration” Prescribed Form 7. If not satisfied the Clerk shall reject the notice. The Clerk’s decision is final.

8.7 Advertisements (Section 88.4, 88.5)

8.7.1 Restricted Period and Expenses

The Restricted Period for Third Party Advertisements begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a registered third party and ends at the close of voting, on Voting Day.

Third Parties must do the following during the Restricted Period:

- file notice of registration and have it certified by the Clerk;
- once registered, advertise; and
- once registered, incur expenses related to the advertisement.

The expenses for these advertisements cannot exceed the amount calculated under Section 88.21 (registered third parties’ expenses).

8.7.2 Mandatory Information in Advertisements

All Third Party Advertisements shall contain the following information:

- the name of the registered third party
- the municipality where the registered third party is registered;

- a telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.

8.7.3 Mandatory Information for Broadcaster, etc.

All Registered Third Parties shall provide the following information to a broadcaster or publisher in writing:

- the name of the registered third party;
- the name, business address and telephone number of the individual who deals with the broadcaster or publisher under the direction of the registered third party;
- the municipality where the registered third party is registered.

8.7.4 Municipal Authority to Remove Advertisements (Section 88.7)

If a municipality is satisfied that there has been a contravention of section 88.4 (third party advertisements) or 88.5 (mandatory information in third party advertisements), The Municipality may require a person who The Municipality reasonably believes contravened the section or caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to remove the advertisement or discontinue the advertising.

8.8 List of Registered Third Parties [Section 88.12 (9) and (10)]

A list of registered third parties shall be posted, as a minimum, on the website and may also include the phone number and email address provided by the registered third party in the notice of registration filed and, if applicable, a hyperlink to the website of the registered third party.

8.9 Duties of Registered Third Parties (Section 88.26)

The Clerk shall provide the “Duties of Registered Third Parties” Form EL54 at the time of filing.

9 Use of Municipal Resources

9.1 Use of Municipal Logo or Other Insignia

The use of the municipal logo or other insignia for campaign purposes is strictly prohibited.

9.2 Municipally Owned/Leased Facilities

Third-Party Advertising or the distribution/posting of Third-Party Advertisement material at municipally-owned or leased facilities is not permitted, with the exception of road allowances.

9.3 Use of Corporate Resources During an Election Year (By-law #2022-45)

Registered Third Party Advertisers will be provided with a copy of the Municipal Use of

Corporate Resources During an Election Policy adopted by By-law #2022-45. The purpose of this policy is to provide a fair and consistent approach regarding the use of municipal corporate resources during a third party campaign and to clarify that all Third Party Advertisers are required to follow the provisions of the *Municipal Elections Act, 1996* (the Act) and that they shall not:

- use the facilities, equipment, supplies, services, staff or other resources of The Municipality for any third party campaign or campaign-related activities;
- use the services of persons during hours in which those persons receive any compensation from The Municipality, except as provided for in the Policy;
- undertake Third Party advertisement campaign-related activities on Municipal property.

10 Election Signs

All Third Party Advertisements must comply with the Municipality of South Bruce Sign By-law and the County of Bruce Sign By-Law.

11 Voters' List

1. The Clerk shall notify the Chief Electoral Officer that a by-election is required and obtain the Preliminary List of Electors that is required for the by-election at least 60 days before voting day. The Clerk shall make corrections to the preliminary list under section 22 as soon as possible after obtaining the list and the corrected list constitutes the voters' list (section 65 (5) 3. i. B. ii. & iii.).
2. The list shall be accessible by authorized Election Officials, who will use the DataFix / VoterView system to facilitate additions and changes during the revision period and perform other functions as required, subject to the security permissions assigned to each Official.
3. Additions, corrections and deletions may be made to the list in accordance with the *Municipal Elections Act, 1996*, (sections 24 or 25) during the period that begins when the Clerk has made corrections as described above in Section 11. 1. and ends at the close of voting on Voting Day, and, in accordance with the Instructions for Voters' List Revisions and PIN Replacement.
4. The Voters' List shall be provided by DataFix to Simply Voting Inc. in computer format at a time to be determined by the Clerk, to allow for activation of the Voting System. Once the Voters' List has been loaded into the Voting System it will remain synchronized; any additions, deletions, or changes to elector information in VoterView will automatically and instantly be reflected in the Voting System.
5. The Voters' List shall be provided by Simply Voting Inc. to Taylor Demers Mail

Processing Inc. in computer format at a time to be determined by the Clerk, to allow for printing of the Voter Information Letters in time for delivery. Voter Information Letters shall be sent via Canada Post Lettermail to all eligible Electors no later than October 4, 2024 to enable them to use the Telephone/Internet Voting service.

6. The Clerk may arrange for Revision Centres to be set up throughout The Municipality on several dates and times throughout the month of September and October. The Municipal Office will also be treated as a Revision Centre during normal business hours from September 3, 2024 to 8:00 p.m. October 28, 2024.
7. The Revision Centres shall be responsible for the following:
 - i. Eligible Electors who attend the Revision Centre and are not on the Voters' List will be able to be added to the list by filling out the Application to Amend Voters' List form (EL15) and providing satisfactory identification in accordance with the Instructions for Voters' List Revisions and PIN Replacement.
 - ii. Eligible Electors who are already on the list but wish to correct their information can attend a Revision Centre or contact the Voter Help Desk to do so in accordance with the Instructions for Voters' List Revisions and PIN Replacement.
 - iii. Persons wishing to remove a deceased person's name from the Voters' List may submit a completed 'Application for Removal of Another's Name from Voters' List' form (EL16) to a Revision Centre, which shall be forwarded to the Clerk for review before the final decision to remove the deceased individual's name from the list.
 - iv. Where a person on the Voters' List has lost his or her Voter Information Letter or did not receive it in the mail, they can attend a Revision Centre or contact the Voter Help Desk in order to obtain their VIL with a replacement PIN in accordance with the Instructions for Voters' List Revisions and PIN Replacement.
8. The Final List of Changes shall be provided to the Chief Electoral Officer within 30 days after voting day by DataFix upon the Clerk's authorization.

12 Notice of Election

1. The Clerk shall notify electors of the following, through the use of newspaper advertisements, social media, the municipal website, any combination of the aforementioned methods, or any other method deemed appropriate by staff of The Municipality:
 - i. That a municipal by-election is being held in The Municipality which has adopted an alternative voting method, being Telephone/Internet Voting;

- ii. The times and dates of the voting period, as well as in-person voting assistance opportunities;
 - iii. Who is eligible to vote in the municipal election;
 - iv. Information regarding the Voter Help Desk and how eligible electors can check to see if their name is on the Voters' List or if their information is correct;
 - v. The opportunity to become a registered third party advertiser and the registration procedure.
2. The Clerk shall determine the date(s) of all advertisements including the newspaper(s) and the notices that are to appear in order to comply with the requirements of the *Municipal Elections Act, 1996*.
 3. Each person on the Voters' List shall be mailed a sealed Voter Information Letter via Canada Post Lettermail containing, at minimum:
 - i. Their PIN, as well as the telephone number and designated internet address (URL) to cast their vote;
 - ii. Instructions on how to vote;
 - iii. Dates and hours of Telephone/Internet Voting;
 - iv. The email address and telephone number of the Voter Help Desk;
 - v. Locations, dates and hours of Voter Assistance Centres;
 - vi. The Question on the ballot; and
 - vii. Voter eligibility criteria.

Where possible and if desirable, cooperative advertising with other municipalities may take place.

13 Voter Qualifications

1. In accordance with Section 17(2) of the *Municipal Elections Act, 1996*, a person is entitled to be an elector at an election held in a local municipality if, on Voting Day, they,
 - a. reside in the local municipality or are the owner or tenant of land there, or the spouse of such owner or tenant;
 - b. are a Canadian citizen;
 - c. are at least 18 years old; and
 - d. are not prohibited by law from voting under subsection 17(3) of the *Municipal Elections Act, 1996*, or otherwise.

14 Voting Process

1. Telephone and Internet Voting method shall be used for the 2024 Municipal By-Election.
 - i. The Voting System provided by Simply Voting Inc. shall allow electors to vote using a telephone or the internet. Electors shall be required to access a designated internet address or telephone a designated number in order to cast their ballot.
 - ii. Every elector shall be limited to only one vote through the use of a PIN distributed via Canada Post Lettermail, in a sealed and personalized Voter Information Letter, or issued in person by an Election Official, as necessary or in accordance with Appendix B. Every elector shall be required to provide their date of birth along with their PIN.
 - iii. Prior to voting, electors will be required to confirm that they are an eligible elector, complete a security prompt and key in their voter credentials.
 - iv. Following the voter's selection for the single question on the ballot, the Voting System shall identify the voter's choice and provide the voter with the option of changing or confirming their vote selections prior to submission.
 - v. The Voting System shall enable the elector to decline from voting the ballot in its entirety, if they wish to do so.
 - vi. For the purposes of reporting declined ballots in accordance with Subsection 55(4.1) 2., a declined ballot shall be considered a deliberate choice by the Elector to decline the entire ballot by selecting a 'declined' option on the ballot.
 - vii. The Voting System shall not permit a voter to overvote, or to spoil a ballot.
 - viii. If an elector is interrupted before casting their vote, they may re-commence voting later using the same method or the other method. Once a voter has cast the vote, that voter will not be granted access to Telephone or Internet Voting again.
 - ix. Voting will commence on October 21, 2024 at 10:00 a.m. and close on October 28, 2024 at 8:00 p.m. Notwithstanding the closure of remote voting at 8:00 p.m. on the final day, persons present at a Voter Assistance Centre at 8:00 p.m. will continue to be allowed to access the Voting System and complete the voting process. Persons who have gained access to the Voting System through their own device prior to 8:00 p.m. on October 28, 2024 will be permitted to complete the voting process, provided that they do so by 8:05 p.m.
2. Prior to the activation of the system by Simply Voting Inc., Simply Voting Inc. shall allow access by the Clerk, the Auditor, or other authorized Election Officials as determined by the Clerk, to the Voting System by secure username and password,

for the purposes of viewing possible selections for any questions on the ballot, including the sum total of votes cast to ensure that the total votes cast indicates “0” (Zero).

3. Scrutineer, if appointed, may be present in the Receiving Location from 9:30 a.m. to 10:00 a.m. on October 21, 2024 to verify and ensure that the question is correctly listed and the total votes cast are at “0”. They shall be required to sign the Activation of Voting System form (SV01) to attest to this fact.
4. Where a voter qualifies at more than one location in The Municipality, the voter may vote only once and the qualifying address to determine eligibility for voting shall be at the place of residence of the elector, as defined under the *Municipal Elections Act, 1996*. All duplicate names on the preliminary list of electors shall be verified by the Clerk and/or Election Official(s) prior to the final preparation of the Voters’ List. Should an eligible voter receive more than one Voter Information Letter, the eligible elector may only vote once and must return the other VIL(s) to the Municipal Office, along with a completed application to amend voters list Form EL15, to remove the duplicated name. 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 *Municipal Elections Act, 1996*.
5. Section 42 (5) states that when a by-law authorizing the use of an alternative voting method is in effect, Section 44 (voting proxies) applies only if the by-law so specifies. By-law Number 2024-46 states that **“that no proxy voting provisions are applicable at municipal and school board elections conducted in accordance with this by-law.”** 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 or theft of another person’s Voter Information Letter, including the actual voting thereof, will be considered an illegal and corrupt practice and therefore subject to the penalty provisions under the *Municipal Elections Act, 1996*.
6. Sealed Voter Information Letters returned to the Municipal Office shall remain sealed, shall be marked “returned mail” and be maintained in a secure fashion and destroyed at the same time as all other Municipal Election material as provided for under Section 88 of the *Municipal Elections Act, 1996*.
7. Should a Voter Information Letter be returned to the Municipal Office that has been opened but has not been used for voting purposes, the Election Official shall immediately disable the PIN so that the PIN cannot participate in the voting process. In this circumstance, the Voter Information Letter shall be marked “unused” and be secured and destroyed in accordance with section 6 above.
8. The Clerk, in partnership with Simply Voting Inc., shall take appropriate measures to ensure that all Voter Information Letters and their associated PINs are

accounted for throughout the election and after the conclusion of the Voting Period. After the conclusion of the election, Simply Voting Inc. shall supply the Clerk with a report detailing the status of all VILs/PINs during the election.

9. The Clerk and Election Officials shall ensure a complete audit trail is maintained of all Voter Information Letters:
 - a. that were sent to Eligible Voters;
 - b. that were returned from the Post Office;
 - c. that were returned by an elector or other individual, either opened or unopened, but unused for voting purposes;
 - d. that were set to a status that prevented them from being used to vote;
 - e. that were re-issued to an Eligible Elector; and
 - f. that were assigned by an Election Official to Eligible Electors that have completed "Application to Amend Voters' List" Form EL15.
10. The Clerk shall arrange one or more Voter Assistance Centres to be set up throughout The Municipality on specific dates and times during the Voting Period. Voter Assistance Centres shall be equipped with one or more Voting equipment for use by electors to cast their ballot.
11. The Voters' List shall be available to Election Officials at the Voter Assistance Centre in electronic format to provide all the services performed at a Revision Centre in accordance with Section 11.6 above.
12. Where an eligible elector has tried to use his or her PIN and they have determined that it has already been used, the elector can attend the Voter Assistance Centre and prove to the satisfaction of the Clerk, or Deputy Clerk that they did not vote and require a new PIN. In accordance with the Instructions for Voters' List Revisions and PIN Replacement, if the Clerk or Deputy Clerk believes that all questions have been answered truthfully and satisfactorily, they may provide the elector with a new PIN and reset the elector's status in the Voting System to allow a second vote upon completion of the Application to Replace Stolen Voter Information Letter form (SV02). The original ballot that was cast by the unauthorized individual will remain in the Voting System, as ballots are disassociated from the electors' PINs once they are cast. The elector will be directed immediately to cast their ballot at a Voting Station Equipment to eliminate any further misuse of the PIN. Should the elector leave without voting the new PIN will be disabled.
13. Prior to the issuance of a new Voter Information Letter, the elector shall be required to respond and answer all questions of the Election Official prior to considering or authorizing the re-issuance of a Voter Information Letter. The Election Official shall document, to his/her satisfaction, questions and answers of

the elector and, if deemed appropriate, the Clerk shall submit the same to the Ontario Provincial Police Services for further investigation and prosecution.

14. If the Election Official believes that all questions have been answered truthfully and to his or her satisfaction, the Election Official may provide the elector with a new Voter Information Letter or at the discretion of the Election Official the elector will be required to make a declaration as to his or her statement and to take an oath which shall be given by the Election Official. A copy of this declaration shall also be submitted to the Ontario Provincial Police Services should further questioning of the elector be required in order to ascertain if corrupt practices have occurred. The elector will be required to assist and cooperate in the investigation in determining the individual(s) who has fraudulently used the elector's Voter Credentials. Once the elector has properly answered all questions and, if required, taken the prescribed oath, the elector shall be issued a new Voter Information Letter.
15. Eligible voters may vote by:
 - i. accessing the telephone number provided by using a touch-tone telephone, or the internet address provided by using a viable internet connection;
 - ii. attending a Voter Assistance Centre during the dates and times and at the locations established by the Clerk, either by themselves or with a friend or interpreter who may assist the elector in voting using the Voting equipment after taking the appropriate oath. In the absence of a friend or interpreter, the voter may request the assistance of the Election Official, who may provide assistance only after the appropriate oath has been taken.

15 Voting System Integrity

1. The integrity of the voting process shall be the responsibility of the Clerk and shall be preserved by:
 - i. ensuring that every eligible elector on the Voters' List is mailed, via Canada Post Lettermail, a sealed Voter Information Letter which contains the voter's unique PIN;
 - ii. ensuring that no one, except authorized Simply Voting Inc. and Taylor Demers Mail Processing Inc. staff, shall have access to a comprehensive list of PINs that matches each voter's name and address;
 - iii. providing opportunities for eligible electors to be added to the list or to make amendments to the list, up until the close of voting;
 - iv. establishing proper procedures to ensure that no person is added to the Voters' List unless an Election Official is completely satisfied of their identity and qualification as an elector in The Municipality;

- v. establishing proper procedures to ensure that no replacement PIN is issued unless an Election Official is completely satisfied of the eligible elector's identity;
 - vi. ensuring that no replacement PIN is issued by anyone other than an employee of The Municipality who has been appointed in writing by the Clerk to do so; and
 - vii. appointing an Auditor to test the Voting System in accordance with sections 15.2 and 15.3 and 15.4 below and providing same with read-only access to the Voting System.
2. The Voting System shall be tested thoroughly through a comprehensive logic and accuracy audit prior to the Voting Period. The tests shall include, but not be limited to, the following:
- i. Voting System refuses ballots before the start of the Voting Period
 - ii. Voting System is 'zeroed out' at the start of the Voting Period
 - iii. Voting System accepts ballots from un-used eligible PINs
 - iv. Voting System refuses ballots from used PINs
 - v. Voting System does not allow over-votes on any ballot
 - vi. Voting System acknowledges under-voted ballots and prompts elector to make a selection.
 - vii. For telephone voting specifically, the wording and clarity of the recordings and the input timing is accurate
 - viii. Voting System 'times out' after a period of voter inactivity
 - ix. Voting System accepts ballots from PINs that previously 'timed out' or were abandoned before being submitted
 - x. Voting System refuses ballots after the end of the Voting Period, except from specifically authorized Voting Stations Equipment
 - xi. Voting System accurately counts votes for each answer to the question.
3. The Voting System shall be further tested through an ongoing audit during the Voting Period. The tests shall include, but not be limited to, the following:
- i. Voting System refuses ballots before the start of the Voting Period
 - ii. Voting System is 'zeroed out' at the start of the Voting Period
 - iii. Voting System presents electors with the correct ballot based on their elector information
 - iv. Voting System does not allow over-votes on any ballot
 - v. Voting System acknowledges under-voted ballots and prompts elector to make a selection

- vi. Voting System 'times out' after a period of voter inactivity
 - vii. Voting System refuses ballots after the end of the Voting Period, except from specifically authorized Voting Station Equipment
4. All Voting equipment and associated information technology infrastructure used at Voter Assistance Centres will be tested for internet access, network security, proper configuration, and device security.

16 Close of Polls & Results

1. The Municipality shall keep its public voting access open until October 28, 2024 at 8:00 p.m.
2. Any person remaining within a Voter Assistance Centre after 8:00 p.m. will still be permitted to vote from Voting Equipment. Persons who have gained access to the Voting System remotely through their own device prior to 8:00 p.m. on October 28, 2024 will be permitted to complete the voting process, provided that they do so by 8:05p.m.
3. At such a time as all eligible electors within a Voter Assistance Centre have voted and after 8:05 p.m. to ensure no remote voters remain logged into the system, the Clerk shall order the close and deactivation of the Telephone/Internet Voting service and shall also order the generation of the results for each contest.
4. Following the close of voting, the appointed Auditor will attempt to vote from both a privately-owned computer and a Voting Station, and confirm that it is not possible to access the voting site.
5. As soon as possible after 8:30 p.m. on October 28, 2024 at the Receiving Location, the Clerk shall download unofficial results for the question on the ballot from the Voting System. Only the Clerk, appointed Election Officials, and one scrutineer for each yes or no, if appointed, may be present at the Receiving Location, and those present shall sign the unofficial results. The Clerk shall publish the unofficial results on the municipal website and/or the Voting System website, as the case may be.
6. As soon as possible after Voting Day, the Clerk shall declare the official results, and then post the official results at the Municipal Office and on the municipal website and/or Voting System website, as the case may be.

17 Recount Procedures

A recount under Sections 56, 57, or 58 of the *Municipal Elections Act, 1996* shall be conducted in the same manner as the original count as per ss. 60(1) and in accordance with

the prescribed rules per ss. 60(2) unless ordered otherwise by a judge under Section 60(3).

A recount is required when:

- the votes for two or more answers to a question, if the votes are equal;
- by resolution of Council;
- by order of the Superior Court of Justice.

Costs of Recount

In accordance with subsection 7(3) of the *Municipal Elections Act, 1996*, the costs incurred by the Clerk to conduct a recount are to be paid by The Municipality as soon as possible after its clerk has signed a certificate verifying the amount. Any expenses incurred by an applicant will be the responsibility of the applicant (i.e. legal counsel in attendance on behalf of the applicant).

Who Conducts Recount

In accordance with Section 56 of the *Municipal Elections Act, 1996*, the Clerk conducts all recounts for elections for which the Clerk is responsible except recounts conducted by the Superior Court of Justice upon appeal.

Tied Vote Recount

In accordance with Section 56 of the *Municipal Elections Act, 1996*, where there is a tied vote, the Clerk must hold a recount within 15 days after the declaration required by Section 55(4)(b) of the results of the election.

If required, Simply Voting shall provide any documentation to support the integrity, security and accuracy of the electronic voting system.

Council Request for Recount

Within 30 days after the Clerk's declaration of the results under Section 55(4) of the *Municipal Elections Act, 1996*, a Council may pass a resolution. In accordance with Section 57 of the *Municipal Elections Act, 1996*, the recount is to be held within 15 days after the resolution is passed.

Application to Superior Court of Justice

In accordance with Section 58 of the *Municipal Elections Act, 1996*, a person who is entitled to vote in an election and who has reasonable grounds for believing the election results to be in doubt may apply to the Superior Court of Justice for an order directing the Clerk to hold a recount. The application must be commenced within 30 days after the Clerk's official declaration of the results under Section 55(4) of the Act. The court, if satisfied there are sufficient grounds, shall make an order requiring the Clerk to hold a recount. The recount is to be held within 15 days after the Clerk receives a copy of the order.

Persons Entitled to be Present at a Recount

In accordance with Section 61 of the *Municipal Elections Act, 1996* the following persons are entitled to be present at a recount:

- the Clerk and any other Election Official appointed for the recount;
- scrutineers appointed by the Municipality in accordance with ss.16(2);
- the applicant, if any, who applied for the recount under s.58;
- legal counsel for any of the above;

Notification of Recount

In accordance with Section 56, 57, 58 of the *Municipal Elections Act, 1996* and O. Reg 101/97, the Clerk shall give notice of the recount date, time and place on “Notice of Recount Form” to the following:

- where a resolution is involved, the Council which passed the resolution;
- the applicant in the case of a court order;
- notice of recount will be posted on the municipal Website, given by registered mail or personal service.

Process at Recount

In accordance with Sections 61 and 62 of the *Municipal Elections Act, 1996*, the Clerk shall request a re-tabulation of the results for the office(s) that are subject to the recount procedure. Once the recount process has commenced, it must continue to completion. Upon completion of the recount, the Clerk will announce the results of the recount. Persons authorized to attend the recount may also be at the announcement of the results of the recount. Unless an application has been made for a judicial recount, the Clerk, on the 16th day after the recount is completed, will declare the result of the vote.

Declaration by Clerk and Notice of Final Certified Results

In accordance with Section 62(4) of the *Municipal Elections Act, 1996*, unless an application has been made for a judicial recount, the Clerk on the 16th day after the recount is completed will declare the result of the vote with respect to the question by posting the “Declaration of Recount Results Form” the Municipal Office and on the website. Such Declaration shall be sent to everyone previously given notice of the recount.

18 Third Party Financial Statements

18.1 Campaign Period (s. 88.28)

Contributions can only be made to a registered third party for third party advertisements and can only be made during the campaign period under section 88.12. A third party advertiser

that is registered can only incur expenses during the campaign period. The campaign period is determined by the application of the following rules:

For the 2024 municipal By-election - the election campaign:

- begins on the day the third party registers for the by-election (registration must be certified by the Clerk) and no earlier than August 29, 2024; and
- ends on December 12, 2024.

If the third party advertiser becomes involved in a compliance audit after the campaign ends on December 12, 2024, the campaign may be recommenced. Once the third party advertiser notifies the Clerk in writing of the campaign period recommencement, the Clerk shall pay the third party advertiser any surplus being held in trust for the candidate, together with interest. Where the campaign period has recommenced, the third party advertiser may incur expenses and accept contributions until the end of the six-month period following December 12, 2024 or where an alternate provision of the *Municipal Elections Act, 1996* has been met under section 88.28.

18.2 Filing Requirements (s. 88.29, s. 88.30)

All registered third parties are required to file a financial statement using the **Prescribed Form 8**.

A registered third party advertiser, whose campaign contributions and total expenses are each equal to or less than \$10,000, are not required to file an auditor's report with the financial statement. A registered third party whose campaign contributions in The Municipality are \$10,000 or whose total campaign expenses exceed \$10,000 are required to file an auditor's report with the financial statement.

The registered third party must file their financial statements and auditor's report (if applicable) on the prescribed forms by 2 pm on January 13, 2025 for the filing period ending December 12, 2024.

If a candidate filed their financial statement prior to the filing date, and then noticed an error, they can withdraw the statement and refile the financial statement and auditor's report at the same time, on or before the filing date.

18.3 Application by Third Party for Extension of Filing Date (s. 88.27(3))

The registered third party may, before the last day for filing a financial statement under section 88.30, apply to the Ontario Court of Justice to extend the time for filing the document. The court may grant an extension of no more than 90 days. The third party shall notify the Clerk in writing before 2:00 pm on the last day for filing a financial statement under s.88.29 or 88.32, that an application has been made.

18.4 Clerk to Give Notice (s.88.29)

The Clerk shall give notice of all filing requirements and of the penalties under s.88.27(1) and s.92(4) to every third party at least 30 days before the filing date.

18.5 Campaign Period (s.88.28)

If the third party advertiser has a deficit at the time the election campaign period would otherwise end and the third party advertiser has notified the Clerk in writing on or before December 12, 2024, the campaign period is extended until the earliest of:

- June 12, 2025.
- The day the third party notifies the Clerk in writing that he, she or it will not accept further contributions.
- The day A equals the total of B and C, where
 - A = any further contributions.
 - B = the expenses incurred during the extension of the campaign period.
 - C = the amount of the registered third party's deficit at the start of the election campaign period.

18.6 Supplementary Reporting Periods/Filing Dates (s. 88.30)

Supplementary filing dates apply where the election campaign period has been extended. The supplementary reporting period is the 6-month period following the 45th day after Voting Day.

Where a third party advertiser campaign period continues, he, she or it shall file a supplementary financial statement (including auditor's report if required) for the supplementary reporting period on or before 2 pm on July 12, 2025.

It should be noted that even if a campaign has been extended, a third party advertiser is required to file the initial financial statement for the reporting period ending December 12, 2024

18.7 Campaign Surplus (s. 88.31)

Where a third party advertiser's financial statement (or supplementary financial statement) indicates an election campaign surplus at the end of the campaign period, the entire surplus amount shall be paid to the Clerk at the time of filing and the Clerk shall hold the monies in trust. If the registered third party subsequently incurs expenses related to a compliance audit, the Clerk shall pay the amount held in trust, with interest, to the third party, MEA. s.88.32.

The surplus becomes the property of the municipality/local board when all of the following conditions are satisfied:

- The campaign period has ended under s.88.28;
- It is no longer possible to recommence the campaign period (s.88.28);
- No compliance audit proceeding has been commenced; and
- The period for commencing a compliance audit proceeding has expired.

18.8 Third Party Filing Default (s.88.27(1))

A registered third party cannot register in relation to a subsequent election until after the next regular election has taken place if;

- They did not file their financial statement;
- There was a surplus and this surplus was not paid to the Clerk;
- The financial statement shows that the third party advertiser exceeded their expense limit; or
- If a document filed under s.88.32 has a surplus and the third party registered has not paid the surplus to the Clerk by the relevant date.

18.9 Clerk to Give Notice of Default (s. 88.27(2))

The Clerk is required to notify the registered third party in writing that a default has occurred and the nature of the default. The Clerk also must make this information public.

19 Compliance Audit Committee

19.1 Establish Compliance Audit Committee

A Council shall before October 1 of an election year establish a committee for the purposes of the *Municipal Elections Act, 1996*.

The Municipality of South Bruce Compliance Audit Committee shall be appointed by By-Law or through the Consolidated Appointment By-Law.

19.2 Review of Contributions to Registered Third Parties (Section 88.36 (1) to (4))

The Clerk shall review the contributions reported on the financial statements submitted by a Registered Third Party to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.13 (Maximum Contributions to Registered Third Parties).

19.3 Report, Contributions to Registered Third Parties

As soon as possible following the date that is 30 days after the filing date or supplementary filing date, the Clerk shall prepare a report identifying each contributor to a Registered Third Party who appears to have contravened any of the contribution limits under section 88.13 and,

- a. if the contributor's total contributions to a Registered Third Party that is registered in The Municipality appear to exceed the limit under section 88.13, the report shall set out the contributions made by that contributor to the Registered Third Party in relation to third party advertisements; and
- b. if the contributor's total contributions to two or more Registered Third Parties that are registered in The Municipality appear to exceed the limit under section 88.13, the report shall set out the contributions made by that contributor to all Registered Third Parties in The Municipality in relation to third party advertisements.

The Clerk shall prepare a separate report in respect of each contributor who appears to have contravened any of the contribution limits under section 88.13.

The Clerk shall forward each report prepared to the Compliance Audit Committee. See Section 88.30 (2) for supplementary filing date provisions.

19.4 Decision of Compliance Audit Committee Regarding Registered Third Parties (Section 88.36) (5)

Within 30 days after receiving a report regarding Contributions to Registered Third Parties in The Municipality, the Compliance Audit Committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

19.5 Compliance Audit Application (Subsection 88.35 (1))

An elector who is entitled to vote in an election and believes on reasonable grounds that a Registered Third Party who is registered in relation to the election in The Municipality has contravened a provision of the Act relating to election campaign finances may apply for a compliance audit of the Registered Third Party's election campaign finances, even if the Registered Third Party has not filed a financial statement.

19.6 Compliance Audit Committee (Subsection 88.35 (4) 88.33(4-20))

Within 10 days after receiving the Compliance Audit Application, the Clerk shall forward the application to the Compliance Audit Committee.

If the Committee decides to grant the Application, it shall appoint an Auditor to conduct a compliance audit of the Registered Third Party's campaign finances in relation to third party advertisements. Within 10 days after receiving the Auditor's Report, if applicable, the Clerk shall forward the report to the Compliance Audit Committee.

20 Destruction of Records

Election records shall be destroyed in accordance with Section 88 of the Municipal Election Act, 1996. Upon written request of the Clerk following the passage of 120 days after Voting Day, Simply Voting Inc. shall destroy all ballots associated with the election and provide written confirmation of same to the Clerk.

Despite anything in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), documents and materials filed with or prepared by the Clerk or any other election official under the Municipal Elections Act, 1996 are public records, and until their destruction, may be inspected by any person at the Clerk's Office at a time when the office is open.

Restrictions:

1. No person shall use information obtained from public records described above, except for election purposes.

Access to the Voters' List - The Voters' List shall not be posted in a public place and can be

used only for election purposes.

21 Scrutineers

In accordance with subsection 16(2) of the Act, Scrutineers may be appointed, by resolution by the Municipality in relation to voting on a by-law or question submitted to the electors, to attend at a voting place and at the counting of votes, including a recount.

In accordance with subsection 47 (4) of the Act, if scrutineers are to be appointed:

- (a) equal numbers of scrutineers shall be appointed for each possible answer to the question; and
- (b) one scrutineer for each of the possible answers may be present at each Voter Assistance Center.

If appointed, scrutineers will be entitled to the following:

- to be present in the Receiving Location, from 9:30 a.m. to 10:00 a.m. on October 21, 2024 prior to the opening of polling to verify and ensure that the Question is listed and the total votes cast are at “0” (Zero), and to sign the Activation of Voting System form (SV01) to attest to this fact.
- to be present at any Voter Assistance Centre during hours of operation to observe the process.
- to be present in the Receiving Location, at the time when results are announced.

Before being admitted to a Voter Assistance Centre or the Receiving Location, Scrutineers shall produce satisfactory identification and a properly signed Appointment of Scrutineer form, and take the Oral Oath of Secrecy (EL13 and EL12B).

Use of mobile communication devices and cameras shall **not be permitted** within any Voter Assistance Centre or the Receiving Location by any scrutineer.

Scrutineers 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, their appointment will be revoked and they will not be permitted to re-attend at a Voter Assistance Centre or during the announcement of results. Scrutineers may also have their appointment revoked if they contravene the rules and guidelines established by the Clerk.

22 Corrupt Election Practices: Offences and Prosecution

1. Sections 89 and 90 of the MEA provide for offences, penalties and enforcement of corrupt practices and other offences during an election process.
2. Although The Municipality of South Bruce will be telephone and internet voting, the principles and integrity of the election process will remain and be enforceable.

3. Section 89, Offences, of the MEA states. “A person is guilty of an offence if he or she:
 - 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 who this Act authorizes to obtain information
 - without authority, supplies a voter credentials/ballot to anyone
 - takes, opens and/or deals with voter credentials/ballot without having authority to do so
4. No person shall solicit a Voter Information Letter from an eligible elector. Valid complaints or knowledge of solicitation shall be immediately reported to the Ontario Provincial Police for investigation of corrupt practices.
5. According to Section 90 of the MEA, if a person is convicted of an offence under Section 89 of the MEA, the offence also constitutes a corrupt practice.
6. Although MEA provisions speak to voting places, ballots, ballot boxes, etc., the same must be used interchangeably with the “alternative form of voting” since the principle of the Act must be maintained and is, therefore, enforceable and subject to penalties.
7. The Clerk of The Municipality of South Bruce, while utilizing this alternative form of voting, will abide by the following rules and regulations:
 - All valid written complaints which may contravene the provisions of the MEA, either verbally or written, will be investigated by the Clerk
 - Valid complaints, once investigated by the Clerk, will be submitted to the Detachment Commander at the Bruce Peninsula Detachment of the Ontario Provincial Police (OPP)
 - Upon completion of the OPP investigation, the Detachment Commander will communicate with the Crown Attorney’s Office to determine whether an individual will be prosecuted
 - The Clerk and/or any Election Official will not attempt to interfere or intervene in the ongoing investigation and may be called upon to give evidence during proceedings.

23 Mail Tampering: Criminal Offence and Prosecution

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 The Municipality’s election methods rely on delivery of the VIL 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.

In order to ensure the integrity and confidence of the voting process for all electors, the Clerk agrees to the following rules and regulations:

- That all complaints about actions which may contravene the provisions of the Criminal Code of Canada with respect to mail tampering, submitted in writing, will be considered by the Clerk;
- That all such valid complaints, once deemed by the Clerk to be substantiated, will be submitted to the appropriate authorities;
- That the Clerk or any Election Official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.

24 Emergencies

Pursuant to Section 53 of the *Municipal Elections Act, 1996* the Clerk may declare an emergency if of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with the Act. On declaring an emergency, the Clerk shall make such arrangements as deemed advisable for the conduct of the election. The arrangements made by the Clerk, if they are consistent with the principles of this Act, prevail over anything in this Act and the regulations made under it.

The emergency continues until the Clerk declares that it has ended. If made in good faith, the Clerk's declaration of emergency and arrangements shall not be reviewed or set aside on account of unreasonableness.

The Clerk shall provide notice of such emergency to the best of their ability and in keeping with the circumstance. If required, the Clerk may consider alternate options for any part of the election process. Simply Voting will take direction from the Clerk as to what actions will be taken.

25 Accessibility

The Clerk shall have regard to the needs of electors with disabilities.

The plan prepared by the Clerk for the last regular election regarding the identification, removal and prevention of barriers that affect electors with disabilities applies to this by-election and is available to the public.

In establishing the locations of Voter Assistance Centres, the Clerk shall ensure that each location is accessible to electors with disabilities.

26 Appendices

The Forms and Notices approved for use by The Municipality for the election process and

included as Appendix A to these procedures. Additional forms may be prepared for the 2024 Municipal By-Election and will be utilized when necessary or desirable for conducting the election under the direction of the Clerk, as per Section 12 (1) of the *Municipal Elections Act, 1996*. Nothing in this procedure precludes the Clerk from approving the use of additional forms, subsequent to the finalization of this procedure.

The Instructions for Voters' List Revisions and PIN Replacement are included as Appendix B to these procedures.

27 Amendments