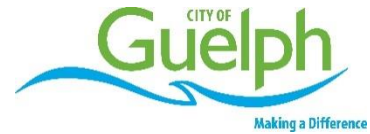


Standard Operating Procedure



Issuing and Casting a Ballot at a Voting Location

Department:	City Clerk's Office
Division:	ELE - Elections
Category:	BA - Ballot
SOP Number:	006
Effective Date:	January 1, 2022
Last Revision Date:	September 8, 2022

Purpose

Describes how voter eligibility is verified, when ballots are issued and how ballots are cast under normal and extraordinary circumstances.

Application

This procedure applies to all eligible electors, candidates, scrutineers and election officials.

Procedure

Live Voters' List

- a) Election officials at all the advance voting and voting day locations shall use the live voters' list.
- b) Election officials are responsible for striking all electors off the same centralized electronic voters' list after an elector has received a ballot.

How often an Elector May Vote

- a) An elector is entitled to one ballot in the City of Guelph regardless of the number of properties they may own in separate wards.
- b) An elector who owns multiple properties must vote in the ward in which they reside.
- c) A qualified elector is entitled to vote only once. They may vote for as many candidates for an office as there are members to be elected, but only once for each candidate. If there is a by-law or question on the ballot, they may mark one vote for in response.

Elector Already on Voters' List

- a) Electors who arrive at a voting location and indicate that they are already on the voters' list shall be directed to the ballot issuing table.

- b) An election official will review their identification to verify they are on the voter's list and pull up their information.

Oath of Qualification and Declaration of Identity

- a) Electors who do not have the prescribed identification but are listed on the voters' list shall swear the prescribed oath of qualification and complete a declaration of identity in the presence of an election official.

Issuing a Ballot

- a) When satisfied that an elector is eligible to vote, the election official shall follow the steps listed below:
 1. Provide the appropriate initialed ballot to the elector.
 2. Provide a secrecy folder to the elector.
 3. Briefly explain the voting procedure.
 4. Strike the elector off of the live voters' list.

Elector Not Yet on Voters List

- a) People who arrive at a voting location and indicate that they are not yet on the voters' list will be assisted by a Revision/Ballot Officer.
- b) If the individual has an acceptable piece of identification, an election official shall:
 1. Review their identification to confirm that the individual meets the criteria to be an eligible elector.
 2. Have the elector complete and sign an application to amend the voters' list.
 3. Enter the updated information electronically onto the voters' list.
 4. Verify the updated information with the elector verbally or visually by showing them their updated information on screen.
 5. When verified, add the elector to the live voters' list.
 6. A ballot will then be issued to the elector by a Revision/Ballot Officer.
- c) If the individual does not have an acceptable piece of identification and is not on the voter's list, an election official shall not be able to add them to the voters' list and they shall not receive a ballot.

Casting a Ballot Under Normal Circumstances

- a) Upon receiving a ballot, the elector shall immediately proceed to an unoccupied voting screen.
- b) Using the ballot marking pen provided, the elector will vote by filling in the designated space next to the candidate(s) of their choice for each office.
- c) After marking the ballot behind the voting screen, the elector shall:

1. Insert the ballot into the secrecy folder with the election official's initials showing.
 2. Leave the voting screen without delay.
 3. Deliver the secrecy folder containing the ballot to the election official at the vote tabulator.
- d) The election official at the vote tabulator, in the presence of the elector and without removing the ballot from the secrecy folder, shall:
1. Verify the initials of the appropriate election official.
 2. Insert or assist the elector 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 elector.

Casting a Ballot Under Extraordinary Circumstances

Elector Declines to Vote

- a) An elector may decline to vote by indicating this to election official at the ballot issuing table. In this case, an election official shall:
1. Verify their identity and ensure that the name appears on the voters' list by reviewing identification or have the elector swear the prescribed oath of qualification and complete a declaration of identity.
 2. Strike the elector off the voters' list.
 3. Offer a ballot to the elector.
 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) A blank ballot will be identified when it is placed through the vote tabulator and shall be returned to the election official who will provide the elector an opportunity to review their ballot.
- b) If the elector who delivered the ballot is present but declines to review, accept another ballot, and/or is not present, the election official shall override the vote tabulator to accept the ballot and re-insert it to be tabulated as is.

Tabulator Determines an Over-vote

- a) If the vote tabulator display shows that the ballot contains an over-vote, the election official shall offer the elector a replacement ballot. If the elector is present and accepts the replacement ballot, the election official will:
1. Mark the over-voted ballot "rejected", place the ballot in the "rejected" envelope, and deliver another ballot to the elector.

2. The replacement ballot will then be re-inserted into the ballot feed of the vote tabulator
- b) If the elector 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

- a) An under voted office on a ballot shall not be identified as such when placed through the vote tabulator.
- b) A ballot with fewer selections than the maximum for any office will automatically be accepted and processed by the vote tabulator. Votes will only be counted for those offices marked by the elector.

Tabulator Rejects a Damaged or Defective Ballot

- a) If a ballot is returned by the tabulator and the elector who delivered the ballot is present:
1. The election official shall re-insert the ballot into the feed area of the tabulator.
 2. 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 elector.
 3. After the replacement ballot has been marked by the voter, it will then be re-inserted into the ballot feed of the tabulator.
- b) If the elector 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.
- c) If the elector who delivered the ballot is not present, the election official shall re-insert the ballot into the feed area of the vote tabulator.
- d) If the vote tabulator again rejects the ballot:
1. The election official shall mark the ballot "rejected".
 2. 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.
 3. The replacement ballot shall be clearly labeled "replacement" and given a serial number which shall also be recorded on the spoiled ballot.
 4. The spoiled ballot shall be inserted into the "rejected" envelope.
 5. 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

- a) If a vote tabulator is not operational at the time that an elector casts their ballot, the 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

- a) If a tabulator malfunctions during the voting process and the memory card is still functional, a replacement tabulator will be set up.
- b) The following will be done to efficiently 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. 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.
 4. 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.

Memory Card Malfunction

- a) If a memory card malfunctions, the election official shall immediately contact the City Clerk's Office.
- b) 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.

c) At no time shall an elector be prevented from voting.

Definitions

"Act" means the [Municipal Elections Act, 1996, S.O. c 32](#) as amended.

"Auxiliary compartment" means the compartment of the ballot box where electors' 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 elector to mark the ballot.

"Candidate" means a person who has been nominated under section 33 of the Elections Act.

"City Clerk" means the Clerk of the municipality, responsible for conducting election duties as outlined in the Elections Act.

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

"Election official" means any individual appointed by the City Clerk, where powers and duties in relation to an election are delegated.

"Elector" 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.

"Live Voters' List" means a digital list maintained and managed via the VoterView application.

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

"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 elector 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.

"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.

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

“Voter notification cards (VNC’s)” means the correspondence containing election information to be sent by the City Clerk to all electors on the voters’ list in Guelph at the end of September in the year of the election.

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

“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 October 24, 2022.

“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 electors 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 elector while they mark the ballot.

References

[Municipal Elections Act, 1996.](#)