

# Standard Operating Procedure



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## Recount Procedures

Department:	City Clerk's Office
Division:	ELE - Elections
Category:	RES – Results
SOP Number:	019
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## Purpose

To outline the procedure for conducting a recount.

## Application

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

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## Procedure

### Recount Equipment and Supplies

- a) In accordance with Section 60 of the Act, if a recount of votes is held, the votes shall be counted in the same manner with the same vote tabulators that were used on voting day.
- b) The City Clerk shall attend the recount and bring the ballot boxes, vote tabulators, statement envelopes and all documents that, in the opinion of the City Clerk, are relevant to the recount.

### Recount Procedure

A recount shall be conducted as follows:

1. A memory card will be inserted into each vote tabulator to be used for the recount.
2. A zero tape will be generated to ensure that no votes are recorded for any candidate.
3. After each tabulator has completed the processing of ballots, a results tape will be generated.
4. Results information on the results tape relating to offices that are not subject to the recount, will be severed by an election official.

5. To obtain the final election results, the memory cards will be removed from the tabulators by City staff and inserted into the memory card reader for upload into the election system/result reporting software.
6. City staff will place memory cards after tabulation in designated envelope with associated results tapes and related documentation, as well as re-package and seal the tabulator.

## **Processing Ballots and Tabulating Results**

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

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

## **Conclusion of Recount**

- a) At the conclusion of the recount, the City Clerk will announce the results of the recount and provide a copy of the final recount report to each candidate for the office of the position that was recounted.
- b) A recount shall not be conducted in any other manner or using any other procedure unless otherwise ordered and specified by a judge.

## **Definitions**

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

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

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

**“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.

**“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).

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

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

**“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.

**“Zero tape”** means the first tape that shows no votes cast for any candidates – showing all zeros.

## **References**

[Municipal Elections Act, 1996.](#)