

Use of Vote Tabulators & Accessible Voting Units



E2208

Procedures



Prepared by City of Brampton Election Office for the 2022 Municipal Election. This information is available in alternate formats upon request.

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Introduction and Application of Procedure

Introduction

1. Under Section 42(1)(a) of the *Municipal Elections Act, 1996*, as amended (MEA), municipalities may pass a by-law authorizing the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators. Sections 42(3) and (4) state that the Clerk shall establish procedures and forms for the use of any voting and vote-counting equipment authorized by by-law, by June 1 in the year of the election, and make those procedures and forms available to candidates.

City of Brampton By-law 265-2021 authorizes the use of voting and vote tabulating equipment for City of Brampton municipal elections.

The contents of this document reflect the voting procedures for the use of voting and vote tabulating equipment for the 2022 City of Brampton Municipal Election.

Updates to these procedures may be required from time to time, at the discretion of the Clerk. Candidates will be notified in writing of any updates that are made, and will be provided with an updated procedures document.

Application of Procedure

2. (1) This procedure applies to any election conducted by the City of Brampton.
- (2) Where this procedure does not provide for any matter, the election shall be conducted in accordance with the principles of the *Municipal Elections Act, 1996* as amended. The principles of the MEA are generally recognized as being:
 - (a) The secrecy and confidentiality of the individual vote is paramount;
 - (b) The election should be fair and non-biased;
 - (c) The election should be accessible to the voters;
 - (d) The integrity of the process should be maintained throughout the election;
 - (e) There should be certainty that the results of the election reflect the votes cast; and
 - (f) Voters and candidates should be treated fairly and consistently within a municipality.

Definitions

3. In this procedure,

Accessibility Tools mean the voting devices available in the Accessible Unit. These devices include headphones, high-contrast viewing, Braille keypad, Sip-N-Puff and Rocker Paddles;

Accessible Unit means the paper-based ExpressVote Universal Voting System, a touch screen accessibility machine that produces a paper record for tabulation (i.e. ExpressVote Ballot);

Auxiliary Compartment means an area of the ballot box where Ballots are temporarily stored in the event of Vote Tabulator failure, until the close of voting;

Ballot means a form printed on an 8.5" by 11" or 8.5" by 14" sheet of paper that provides options for selecting candidates of choice. Ballots will differ depending on the school support of the voter;

Ballot Issuing Station means the table where voters visit the Deputy Returning Officer to receive a Ballot;

Ballot Marking Pen means the designated pen provided by an election official for the use by a voter to mark the Ballot;

Ballot Transfer Case means the case that Ballots from the Ballot box are transferred to after the close of voting;

Clerk means the Clerk of the City of Brampton and their designates;

Continuous Advance Voting means voting that occurs on a number of consecutive days;

Digitally Signed means a system that includes management and security processes, including access code protection to prevent unauthorized access to critical system functions;

Election Results Report means the final report printed from the Vote Tabulator showing the results of all votes cast in the voting location;

ExpressLink means a desktop tool installed on Deputy Returning Officer's laptop. This tool will be used to print ExpressVote Ballots on demand to use with the Accessible Unit. An ExpressVote Printer will be attached to the laptop.

ExpressVote Ballot means a form printed on a 4.25" by 11" sheet of paper that contains the voter's correct Ballot style information. The Voter inserts the ExpressVote Ballot into the Accessible Unit to make their candidate selections.

Once the Voter has finished making their selections, the Accessible Unit will print the selections on the ExpressVote Ballot.

ExpressVote Printer means the device that is attached to the Deputy Returning Officer's laptop. The printer will be used to print the voter's Ballot style onto the ExpressVote Ballot for use with the Accessible Unit.

MEA means the *Municipal Elections Act, 1996, S.O., 1996, c. 32*, as amended;

Over Vote means a Ballot where one or multiple offices has been marked for more than one candidate;

Regional Results means a software application used with a laptop to transmit election results. The Regional Results application will be used to transmit the election results for the Home Voting Service for the 2022 Municipal Election.

Secrecy Folder means a paper folder 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 and to expose the initials of the Deputy Returning Officer;

Software System means the election management software system(s) used by the Clerk;

Statement Form means the form completed by the Location Supervisor to document the results of voting;

Under Vote means a Ballot where one or multiple offices on the Ballot have not been marked by a voter;

USB Flash Drive means a removable memory device that the Vote Tabulator uses to securely store the scanner's election definition, audit log, tabulation of valid marks on Ballots and other election-specific information. The USB Flash Drive is updated each time the Vote Tabulator scans a Ballot; information is digitally signed. Each Vote Tabulator contains a USB Flash Drive.

The USB Flash Drive in the Accessible Unit is used to securely store the scanner's election definition, audit log, and other election-specific information, such as the audio and translation files. Every Accessible Unit contains a USB Flash Drive.

Valid Mark means a mark made in the oval to the right of the candidate's name using the ballot-marking pen;

Vote Tabulator (DS200) means the machine that digitally scans a specified area on the Ballot to read the votes and tabulate the results;

Voting Compartment means a table within the voting location, that has a voting (privacy) screen, where a voter will mark their Ballot in secrecy;

Voting Location means a building and property (including parking lot) identified by the Clerk where voting will take place;

Zero Totals Report means the first report printed from the Vote Tabulator showing a total of zero for all offices at the voting location.

Voting Opportunities

Advance Voting

4. The City of Brampton will be holding advance voting opportunities on October 7, 8, 9, 14 and 15, 2022. Timings and places for advance voting will be established by the Clerk and published and advertised, once confirmed.

Voting Day

5. Voting Day is on Monday, October 24, 2022, from 10 am to 8 pm. Voting hours for designated nursing homes will be shorter. Information regarding nursing home (institution) voting hours will be made available once confirmed.

Election Officials

6. The Clerk shall appoint the following election officials for the purposes of the conduct of the election and this procedure:

Ward Manager responsible for Voting Day election processes at all voting locations within assigned Ward; receives direction from the Clerk and provides support and direction to Location Supervisors at voting locations;

Location Supervisor and Assistant Location Supervisor responsible for supervising election workers and election processes at a voting location;

Deputy Returning Officer responsible for confirming voter identity, locating and striking voter's name from the Voters' List, processing revisions to the Voters' List and proxy votes, and issuing Ballots to voters;

Greeter responsible for welcoming voters to the voting location and guiding voters to appropriate area for processing;

Tabulator Attendant responsible for operating the Vote Tabulator and processing Ballots through the Vote Tabulator ensuring secrecy of the vote.

Accessible Unit Attendant responsible for operating the Accessible Unit and assisting voters in using the accessible tools.

Ballots

7. (1) An oval shall appears on the Ballot to the right of each candidate's name, as the place suitable for marking the Ballot.
- (2) The voter's correct Ballot type is printed on the ExpressVote Ballot using the Card Printer after the Deputy Returning Officer has verified the voter's identity and eligibility to vote. The voter uses the Accessible Unit to mark the ExpressVote Ballot.

Location of Vote Tabulators and Accessible Units

Advance Voting

8. (1) One (1) Vote Tabulator and one (1) Accessible Unit shall be provided at each Advance Voting location.
- (2) As determined by the Clerk, an additional Vote Tabulator and/or additional Accessible Unit may be provided at an Advance Voting location, in order to facilitate an efficient voting process.

Voting Day

9. (1) One (1) Vote Tabulator shall be provided at each Voting Day location (with the exception of nursing homes (institutions)).
- (2) As determined by the Clerk, an additional Vote Tabulator may be provided at a Voting Day location, in order to facilitate an efficient voting process.
- (3) One (1) Accessible Unit shall be provided at a designated Voting Day location within each Ward.

Programming the Machines

Programming the Vote Tabulators

10. (1) The Vote Tabulators shall be programmed so that a printed record of the number of votes cast for each candidate and an overall total of Ballots cast can be produced.
- (2) The Vote Tabulators shall be programmed so that the following Ballots are returned to the Tabulator Attendant:
 - (a) Over vote – A Ballot with more than one specified valid mark for each or any office as determined by the Vote Tabulator.

- (b) Invalid – A Ballot that is damaged or rejected by the Vote Tabulator or has been marked in such a way that it cannot be properly processed by a Vote Tabulator.
- (3) The Vote Tabulators shall be programmed so that an under voted Ballot, or a blank Ballot, will be accepted by the Vote Tabulator without any message.

Programming the Accessible Units

- 11. (1) The Accessible Units shall be programmed so that a voter is able to select candidates, and produces a paper record on the ExpressVote Ballot for tabulation. The Accessible Unit shall be programmed so that a voter may use any of the accessible tools provided by the Unit, to mark the Ballot independently (without requiring a pen). The produced record on the ExpressVote Ballot is then inserted into the Vote Tabulator.
- (2) The Accessible Units shall be programmed so that the voter cannot vote for more than one candidate per office. If a voter selects a second candidate for an office, the first candidate that was selected, will be deselected.

The Accessible Units shall be programmed so that an under voted office, or a blank Ballot will be processed through the Accessible Unit. A summary for each office voted will be provided to the voter showing that an office is under voted.

Testing the Machines

Testing the Vote Tabulators

- 12. (1) Prior to Advance Voting, the Clerk shall test each Vote Tabulator to ensure that it will accurately count the votes cast for all candidates.
- (2) When testing the Vote Tabulator, adequate safeguards shall be taken to ensure that the software system, or any part of it, that is used for processing and tabulating votes is isolated from all other applications or programs and that no remote devices are capable of gaining access to the Vote Tabulator.
- 13. There are several testing phases before the Vote Tabulators are ready for use at Advance Voting and on Voting Day.
 - (1) Testing the Vote Tabulators (Diagnostic Testing)
Every Vote Tabulator will be tested to ensure that the clock, display, hardware configuration, printer and Ballot reader are all functioning properly.
 - (2) Testing the USB Flash Drive
Every USB Flash Drive will be tested to ensure they are not defective and are digitally signing election data.

(3) Testing Voting Locations

Every voting location which will be used for the election, and which will have a Vote Tabulator will be inspected. During the inspection, defined requirements will be tested to ensure that locations are operational for Advance Voting and Voting Day.

(4) Testing Ballots

Once the Ballots have been printed and received from the Ballot printer selected by the Clerk, a test deck of Ballots will be prepared and tested. The test deck will include every Ballot face and will be comprised of samples of blank Ballots, over voted and under voted Ballots, and marked Ballots.

(5) Test Results

The software system will be tested for correctness of tabulating results. Ballots will be used on multiple Vote Tabulators and downloaded to the software system and reports will be compared to manual counts.

(6) Test Documentation

A complete record of all testing phases will be retained in accordance with the records retention requirements of the MEA.

(7) Defective Vote Tabulator

Prior to the election, in the event that a Vote Tabulator must be repaired, or a USB Flash Drive replaced, the Vote Tabulator will be retested before it is put into operation. If a USB Flash Drive is replaced, the Vote Tabulator will be retested using the new USB Flash Drive.

Testing the Accessible Units

14. (1) Prior to Advance Voting, the Clerk shall test each Accessible Unit to ensure that it will accurately produce a record of votes cast for all candidates on the ExpressVote Ballot.

(2) When testing the Accessible Unit, adequate safeguards shall be taken to ensure that the software system, or any part of it, that is used for voting is isolated from all other applications or programs and that no remote devices are capable of gaining access to the Accessible Unit.

15. There are several testing phases before the Accessible Units are ready for use at Advance Voting and on Voting Day.

(1) Testing the Accessible Units (Diagnostic Testing)

Every Accessible Unit will be tested to ensure that the clock, display, hardware configuration, touch screen area and accessibility tools are all functioning properly.

(2) Testing USB Flash Drive

Every USB Flash Drive will be tested to ensure that they are not defective and

will function properly to allow the voter to vote for all offices for which the voter is qualified.

(3) Testing Ballots

ExpressVote Ballots are printed on demand by the Deputy Returning Officer, using the Election laptop and ExpressVote Printer. A sample ExpressVote Ballot will be tested using Accessible Units to ensure the unit accepts the ExpressVote Ballot and prints the card as marked. Every Ballot face will be included in the test Ballot deck.

(4) Test Documentation

A complete record of all testing phases will be retained in accordance with the records retention requirements of the MEA.

(5) Defective Accessible Unit

Prior to the election, in the event that an Accessible Unit must be repaired, or USB Flash Drive replaced, the Accessible Unit will be retested before it is put into operation. If a USB Flash Drive is replaced, the Accessible Unit will be retested using the new USB Flash Drive.

Demonstration of the Vote Tabulators, Accessible Units and Testing Procedure

16. Candidates and/or their scrutineers will be invited to attend a demonstration of the Vote Tabulators and Accessible Units, which will include a demonstration and explanation of the testing procedures. The Clerk shall give adequate notice of the date, time and place of the demonstration.

Candidates/Scrutineers

17. The Clerk will provide procedures regarding the conduct of candidates and their scrutineers. The following clauses relate to candidate/scrutineer conduct with respect to Vote Tabulators and Accessible Units:
- (1) Candidates may appoint scrutineers in writing to represent them at the voting location.
 - (2) Only one scrutineer for each certified candidate may be present within the voting location at any time. If the appointing candidate is present, the scrutineer may not be present in the voting location at the same time.
 - (3) At voting locations where there is more than one Vote Tabulator and Ballot Box in use, an additional scrutineer for each certified candidate may be present.
 - (4) To protect the secrecy of the vote, candidates or scrutineers will not be able to examine the Ballots or to object to Ballots or to the counting of votes on a Ballot as provided for in clauses 47(5)(e) and 47(5)(f) and Subsection 54(3) of the MEA as the Ballots are being fed into the Vote Tabulator by the election official.

- (5) The total number of votes cast for each candidate as counted by the Vote Tabulator and as accepted by the Location Supervisor is final.
- (6) The Location Supervisor shall allow a candidate/scrutineer to view a printout of the Election Results Report, if requested.

Procedure at the Voting Location on Voting Day

Before the Voting Location Opens

- 18. (1) Approximately 15 minutes before the opening of the voting location, the Location Supervisor or other election official shall, in the presence of all candidates, scrutineers and election officials, cause the Vote Tabulator to print the Zero Totals Report confirming zero (0) totals.
- (2) If the totals are zero for all candidates, the Location Supervisor shall remove the report and affix it to the ballot box so that all voters, officials and candidates/scrutineers can see the report. The Location Supervisor shall print another Zero Totals Report and ensure that the report remains affixed to the Vote Tabulator until the results are printed by the Vote Tabulator after the close of the vote. All election officials present may initial the Zero Totals Report that has been affixed to the ballot box. Candidates and scrutineers may also initial the Zero Totals Report.
- (3) If the totals are not zero for all candidates, the Location Supervisor or other election official shall immediately notify the Clerk and shall conduct the vote using the auxiliary compartment of the ballot box until the Vote Tabulator is made operational, or the Clerk provides a replacement Vote Tabulator to the voting location. The above procedure will be followed in the event that a replacement Vote Tabulator is required.

Procedure in Normal Circumstances

- (4) As each voter arrives at the ballot issuing station, the Deputy Returning Officer or other election official shall confirm the identity of the voter, verify that the name of the person is shown on the Voters' List and mark the Voters' List to indicate the voter has received a Ballot. The Deputy Returning Officer shall initial the Ballot, place it in the secrecy folder and hand the Ballot and secrecy folder to the voter, while briefly explaining the voting procedure.
- (5) Upon receiving the Ballot, the voter shall:
 - (a) immediately proceed to the voting compartment; and
 - (b) using the ballot-marking pen provided, vote by filling in the oval to the right of the candidate of their choice for the applicable office.

- (6) After marking the Ballot in the voting compartment, the voter shall,
 - (a) insert the Ballot into the secrecy folder, with the Deputy Returning Officer's initials showing;
 - (b) leave the compartment without delay; and
 - (c) deliver the secrecy folder containing the Ballot to the Tabulator Attendant or other election official responsible for processing Ballots through the Vote Tabulator.
- (7) The Tabulator Attendant or other election official shall,
 - (a) ask the voter if they have marked both sides of the ballot;
 - (b) ask the voter to remain until the Vote Tabulator has successfully accepted the Ballot;
 - (c) ensure that the Ballot has been initialled by the Deputy Returning Officer; and
 - (d) in the presence of the voter and without removing the Ballot from the secrecy folder, insert the secrecy folder containing the Ballot into the feed area of the Vote Tabulator until the Vote Tabulator draws the Ballot from the secrecy folder.
- (8) If a Vote Tabulator fails to operate, the Tabulator Attendant or other election official shall, under the instruction of the Location Supervisor,
 - (a) insert the Ballot into the auxiliary compartment of the ballot box; and
 - (b) subject to Subsection 23(2) insert the Ballots into the feed area of the Vote Tabulator after the close of the voting.

Procedure in Extraordinary Circumstances

(9) Over Voted Ballot

A Ballot may be returned to the voter if the Ballot has over votes for any of the offices (i.e. the voter filled in too many ovals per office).

Voter Present

If a Ballot as described in clause 10(2)(a) (Over voted) is processed through the Vote Tabulator, the Vote Tabulator will display a message indicating an over vote. If the voter who delivered the Ballot **is still present**, the Tabulator Attendant or other election official will ask if the voter wishes to complete a new Ballot. If the voter chooses to complete a new Ballot, the Tabulator Attendant will press the Return button on the Vote Tabulator to return the Ballot

uncounted, and shall advise the voter to return to the Deputy Returning Officer who issued the Ballot. The Deputy Returning Officer shall take the Ballot and issue a new Ballot to the voter in accordance with Ballot issuing procedures, as defined by the Clerk.

If the voter chooses not to complete a new Ballot, the Tabulator Attendant or other election official shall confirm the voter's intentions and continue to process the Ballot through the Vote Tabulator by pressing the Cast button. The office on the Ballot which was over voted will not be counted (other offices on the Ballot will be counted).

Voter Not Present

If the voter who delivered the Ballot **is not present**, the Tabulator Attendant or other election official will insert the Ballot into the Vote Tabulator by pressing the Cast button. The office on the Ballot which was over voted will not be counted (other offices on the Ballot will be counted).

(10) Invalid Ballot Inserted in Vote Tabulator

Voter Present

If the Deputy Returning Officer's initials are on the Ballot, the Tabulator Attendant or other election official shall re-insert the Ballot into the feed area of the Vote Tabulator. If the Vote Tabulator again rejects the Ballot, the Tabulator Attendant or other election official shall advise the voter to return to the Deputy Returning Officer who issued the Ballot. The Deputy Returning Officer shall take the Ballot and issue a new Ballot to the voter in accordance with Ballot issuing procedures, as defined by the Clerk. If the voter had an ExpressVote Ballot, a new ExpressVote Ballot will be printed for the voter.

Voter Not Present

If the voter who delivered the Ballot **is not present**, the Tabulator Attendant shall re-insert the Ballot into the feed area of the Vote Tabulator. If the Vote Tabulator again rejects the Ballot, the Tabulator Attendant shall return the Ballot to the Deputy Returning Officer who issued it. The Deputy Returning Officer will place the Ballot in the appropriate envelope.

(11) Invalid Ballot Inserted in Accessible Unit

If the ExpressVote Ballot cannot be accepted or read by the Accessible Unit, the Accessible Unit Attendant or other election official shall re-insert the Ballot into the feed area of the Accessible Unit. If the Accessible Unit again rejects the Ballot, the Accessible Unit Attendant or other election official shall advise the voter to return to the Deputy Returning Officer who issued the Ballot. The Deputy Returning Officer shall take the Ballot and issue a new Ballot to the voter in accordance with Ballot issuing procedures as defined by the Clerk.

(12) Vote Tabulator Failure

In the event of Vote Tabulator failure, the Location Supervisor or other election official will follow the trouble shooting procedures, as defined by the Clerk.

(13) Accessible Unit Failure

In the event of Accessible Unit failure, the Location Supervisor or other election official will follow the trouble shooting procedures, as defined by the Clerk.

Procedure at the Voting Location on Advance Voting Day

19. All procedures for opening the voting location and processing voters and Ballots shall be the same as Section 18 with the following exceptions:

(1) Consecutive Advance Voting

- (a) Advance voting that takes place on designated consecutive days as identified by the Clerk shall be deemed to be one voting location. Therefore, the same USB Flash Drive in the same Vote Tabulator will be used for consecutive voting days. The Zero Totals Report shall only be printed on the first day of consecutive advance voting. Vote tabulation shall be continuous from the opening of the voting location on the first designated consecutive Advance Voting Day to the closing of the voting location on the last day of consecutive Advance Voting.
- (b) At the end of each designated consecutive Advance Voting Day, after all voters have left the location, the Location Supervisor or other election official will check the auxiliary compartment for any Ballots that were placed in it, and feed those Ballots through the Vote Tabulator, in the presence of any candidates and scrutineers. The Location Supervisor will then turn off the Vote Tabulator and ask any remaining candidates and scrutineers to leave the voting location. The ballot box will be emptied, and Ballots will be placed in the Ballot Transfer Case. The case will be sealed with the Deputy Returning Officer's seals and will be secured, along with the Vote Tabulator at a designated location, as defined by the Clerk.
- (c) At the start of the next designated consecutive Advance Voting Day, the Location Supervisor or other election official will turn on the Vote Tabulator before the start of advance voting to continue processing marked Ballots in a new ballot box in accordance with this procedure.
- (d) At the end of the last day of designated consecutive Advance Voting, the Location Supervisor or other election official will turn off the Vote Tabulator, leave the Zero Totals Report attached, and secure the Vote Tabulator, Zero

Totals Report and sealed Ballot Transfer Case at a designated location, as defined by the Clerk.

Accessible Units – Advance Voting and Voting Day

- (2) If the voter has indicated that he or she wishes to vote using the Accessible Unit, the following procedures will be followed once the voter receives an ExpressVote Ballot from the Deputy Returning Officer:
- (a) The voter will be escorted to the Accessible Unit by an Accessible Unit Attendant or other election official and will be shown the available accessibility options. The voter will be shown how to begin using the unit by inserting the ExpressVote Ballot into the unit, activating Accessible Unit and accessibility tools. The election official will stay with the voter only until the voter is satisfied that he or she knows what to do in order to vote.

The voter will be shown how to remove the marked ExpressVote Ballot from the Accessible Unit into the secrecy folder with the Deputy Returning Officer's initials showing and will proceed to the Vote Tabulator to insert the marked ExpressVote Ballot with the assistance of the Tabulator Attendant.

- (b) If the voter has opted to use one of the accessibility tools to mark the ExpressVote Ballot, he or she will be provided with the tool and will be assisted in using the tool. The election official will stay with the voter only until the voter is satisfied that he or she knows what to do in order to mark the Ballot.

The voter will be shown how to remove the printed ExpressVote Ballot from the Accessible Unit into the secrecy folder with the Deputy Returning Officer's initials showing and will proceed to the Vote Tabulator to insert the printed ExpressVote Ballot with the assistance of the Tabulator Attendant.

Closing Procedures

Closing the Voting Location During Advance Voting

20. The same USB Flash Drive in the same Vote Tabulator will be used for designated consecutive Advance Voting Days. At the close of voting on each consecutive Advance Voting Day, the Location Supervisor or other election official will close the doors to the voting location, in accordance with closing procedures established by the Clerk, and shall:
- (1) Check the auxiliary compartment of the ballot box and back-up ballot box for Ballots to ensure all Ballots have been processed through the Vote Tabulator.

Any Ballots which have been placed in the auxiliary compartment of the box or the back-up ballot box shall be removed and processed through the Vote Tabulator in accordance with this procedure.

- (2) Look at the display on the Vote Tabulator and record the number of Ballots processed through the Vote Tabulator. The number will be recorded on the statement form.
 - (3) Turn off the Vote Tabulator and Accessible Unit.
 - (4) Break the seal on the back of the ballot box in order to access the Ballot compartment, and remove the Ballots. Place the Ballots in the Ballot Transfer Case and seal the case with the Deputy Returning Officer's seal, to ensure the case cannot be re-opened without breaking the seal.
 - (5) Deliver the Vote Tabulator, Accessible Unit, Ballot Transfer Case, empty ballot box and all other election materials to the Clerk for secure storage.
 - (6) For consecutive Advance Voting Days, at the beginning of the next Advance Voting Day, receive the Vote Tabulator, Accessible Unit and all other election materials from the Clerk, and continue to process voters. A new, empty ballot box will be used for each designated consecutive Advance Voting Day.
21. At the end of the last designated consecutive Advance Voting Day, the Location Supervisor or other election official shall:
- (1) Check the auxiliary compartment of the ballot box and back-up ballot box for Ballots to ensure all Ballots have been processed through the Vote Tabulator.
- Any Ballots which have been placed in the auxiliary compartment of the box or the back-up ballot box shall be removed and processed through the Vote Tabulator in accordance with this procedure.
- (2) Look at the display on the Vote Tabulator and record the number of Ballots processed through the unit. The number will be recorded on the statement form.
 - (3) Turn off the Vote Tabulator and Accessible Unit.
 - (4) Break the seal on the back of the ballot box in order to access the Ballot compartment, and remove the Ballots. Place the Ballots in the Ballot Transfer Case and seal the case with the Deputy Returning Officer's seal, to ensure the case cannot be re-opened without breaking the seal.
 - (5) Deliver the Vote Tabulator, Accessible Unit, Ballot Transfer Case, empty ballot box and all other election materials to the Clerk for secure storage.
22. On Voting Day, at the close of voting, the Location Supervisor, Deputy Returning Officer, or other election official for the designated consecutive Advance Voting

Days shall return to a designated City location identified by the Clerk to complete the Advance Voting location closing procedure. A Vote Tabulator, and other required materials shall be available in a secure area designated by the Clerk. The election official shall turn on the Vote Tabulator and follow the procedures as found in Subsections 23(3) to 23(12).

Closing the Voting Location on Voting Day

23. At 8 pm on Voting Day, the Location Supervisor or other election official shall:

- (1) Close the doors to the voting location, in accordance with procedures established by the Clerk. Any voters still in the location will be permitted to vote. No voters, candidates or scrutineers will be permitted to enter the location after the doors have been closed.

- (2) Check the auxiliary compartment of the ballot box and back-up ballot box for Ballots to ensure all Ballots have been processed through the Vote Tabulator.

Any Ballots which have been placed in the auxiliary compartment of the box or in the back-up ballot box shall be removed and processed through the Vote Tabulator in accordance with this procedure.

- (3) Look at the display on the Vote Tabulator and write down the number of Ballots processed through the Vote Tabulator. The number will be recorded on the statement form.
- (4) Secure the Vote Tabulator against receiving any more Ballots by selecting the Close Poll button on the Vote Tabulator.
- (5) Obtain a printed record of the votes cast for each candidate (Election Results Report).

This report will print immediately after the Zero Totals Report affixed to the Vote Tabulator.

- (6) Sign the certificate portion of the Election Results Report. Any other election officials, candidates or scrutineers who are present may sign the Election Results Report.
- (7) Remove the Zero Totals Report/Election Results Report from the Vote Tabulator and place them in the statement envelope.
- (8) Print one additional copy of the Election Results Report for the information of any candidates or scrutineers present.
- (9) Begin transmission of results to election headquarters in accordance with results transmission procedures, as defined by the Clerk.

If the results transmission is successful, proceed to the next step. Otherwise, repeat the transmission attempt.

If the results transmission is unsuccessful after three (3) attempts, turn off the Vote Tabulator and after completion of appropriate closing procedures, complete the steps outlined in Subsection 23(13) – proceed to the designated location to complete the results transmission as identified by the Clerk.

(10) Turn off the Vote Tabulator.

(11) Break the seal on the back of the ballot box in order to access the Ballot compartment, and remove the Ballots. Place the Ballots in the Ballot Transfer Case and seal the case with the Deputy Returning Officer's seal, to ensure the case cannot be re-opened without breaking the seal.

If the results cannot be transmitted, the Location Supervisor will not empty the ballot box. The full ballot box, together with the vote tabulator will be transported to the designated location to complete the results transmission.

(12) Complete remaining closing procedures, as defined by the Clerk.

(13) If a Vote Tabulator has been used to tabulate votes cast in a voting location but the tabulation of the votes cannot be completed because the Vote Tabulator is not operating or cannot be made to operate within a reasonable time following the close of voting, the Location Supervisor or other election official shall, after the close of voting and after determining that tabulation cannot be completed,

(a) Ensure the ballot box is sealed in such a manner that it cannot be opened or any Ballots be deposited in it without breaking the seal;

(b) Secure the Vote Tabulator against receiving any more Ballots;

(c) Place all supplies and envelopes containing spoiled and unused Ballots in the supply bag and seal it;

(d) Deliver the ballot box, supply bag and Vote Tabulator to the designated location(s), as identified by the Clerk for the completion of the vote tabulation and/or close of voting procedure;

(e) Follow the procedures set out in Section 18, beginning with the printing of a Zero Totals Report;

(f) Insert all the Ballots from the ballot box into the back-up Vote Tabulator; and;

(g) Follow the procedures from Subsection 23(3) to 23(11);

General

24. If, at the close of the voting, the Clerk is of the opinion that it is impractical to count the votes with the Vote Tabulator, he or she may direct that all the votes cast in the election shall be counted manually following as far as practical the provisions of the MEA.
25. The Clerk shall, at the completion of the count, retain the programs, test materials and Ballots in the same manner as is provided for in the MEA for the keeping of election records.
26. (1) The Clerk shall retain and have access to the pre-audited group of Ballots referred to in Sections 12 to 15 and other materials used in the programming of the Vote Tabulators.

(2) The Clerk shall not alter or make changes to the materials referred to in Subsection 26(1).

Advance Voting, Early Closing of Voting Locations, and Home Voting – Voting Day

27. The total of the votes at an Advance Voting location or at a voting location that closes early under Section 46(3) of the MEA shall not be printed and the procedures under Section 23 of this Procedure shall not be followed until after 8 pm on Voting Day.
28. The total of the votes cast during the Home Voting Service shall not be printed and procedures under Section 23 of this Procedures document shall not be followed until after 8 pm on Voting Day, with the following exceptions. Once the second Election Results Tape has been printed for any candidates or scrutineers present, the election official shall:
 - (1) Turn off the Vote Tabulator;
 - (2) Retrieve the Vote Tabulator Key and open the secure compartment;
 - (3) Remove the USB Flash Drive from the Vote Tabulator;
 - (4) Turn on the Regional Results laptop and enter the appropriate credentials;
 - (5) Launch the Regional Results application and enter the appropriate credentials;
 - (6) Insert the USB Flash Drive into the laptop;
 - (7) Verify that the results have been transmitted via the Regional Results application; and
 - (8) Complete the remaining closing procedures in Section 23 of this Procedure.

Recounts

29. A recount may be required or applied for, under Sections 56, 57 or 58 of the MEA. Unless subject to an order of a judge under Subsection 60(3) of the MEA, if a recount of votes is held, the votes shall be counted in the same manner as the votes were counted on Voting Day (Subsection 60(1) of the MEA).
30. (1) A Vote Tabulator shall be tested before the recount in the manner described in Sections 12 and 13.
- (2) The Clerk shall attend the recount and bring the supply bag, Vote Tabulators, statement envelopes and all documents that, in the opinion of the Clerk, are relevant to the recount.
- (3) If a Vote Tabulator is used for a recount, the recount is limited to the Ballots tabulated by a Vote Tabulator during Advance Voting and on Voting Day.
31. Unless subject to an order of a judge under Subsection 60(3) of the MEA, if a Vote Tabulator is used for a recount, those persons referred to in paragraph 2, 3 or 4 of Subsections 61(1) or 61(2) of the MEA will be unable to examine the Ballots or to dispute the validity of a Ballot or the counting of votes in a Ballot as provided for in Subsection 61(5) of the MEA, as the Ballots are being fed into the Vote Tabulators by the election officials.