



Municipalité de
RUSSELL
Township

**TELEPHONE VOTING,
INTERNET VOTING
AND
ELECTION PROCEDURES**

2014 MUNICIPAL ELECTIONS

**Prepared and approved by the
Clerk / Returning Officer
This 2nd day of June, 2014
AMENDED VERSION OCTOBER 8, 2014**

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1. AUTHORITY

On April 22, 2014, the Council of The Corporation of the Township of Russell adopted By-Law Number 43-2014 authorizing the use of alternative voting methods, being the vote by telephone and by internet for the 2014 municipal elections.

Subsections 42(3) and 42(4) of the Municipal Elections Act, 1996 states that the Clerk shall, in the case of a regular election establish procedures and forms for the use of any alternative voting method authorized by by-law and provide a copy of the procedures and forms to each candidate.

These procedures and forms are additional information for the electors and the candidates and do not replace the *Municipal Elections Act, 1996*.

Furthermore, subsection 42(4) states that the procedures and forms established 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.

In addition, Subsection 9(2) of the *Municipal Elections Act, 1996* prescribes that all notices, forms and other information provided under this *Act* shall be made available in English and French. This shall also apply to the “telephone and internet voting system” whereby an elector will have the option of selecting the official language of his (her) choice.

Subsection 11(2) of the *Municipal Elections Act, 1996*, states that the Clerk of a 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;*
- d) *preparing and submitting a report to council about the identification, removal and prevention of barriers that affect electors and candidates with disabilities.*

With respect to the duties and authority of a Municipal Clerk, the *Municipal Elections Act, 1996* further states as follows:

- 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.*

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(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.*

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, candidates and persons who are eligible to be electors with information to enable them to exercise their rights under this Act.*

Subsection 42(4)(2) also states that the procedures and forms established 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.

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 (*voting proxies*) apply only if the by-law so specifies. Since the purpose for the use of the alternative voting, being telephone and internet voting in our case, is to allow electors to vote from their home, wherever it may be, and offer a longer voting time period, the Township of Russell By-Law Number 43-2014 is silent on the voting proxies, and consequently voting proxies are not applicable and no longer necessary. Therefore, with respect to proxies, a person cannot give his or her Voter Information Letter to another eligible elector for the purpose of voting. Acceptance of a Voter Information Letter including the actual voting thereof will be considered an illegal and corrupt practice and therefore subject to the penalty provision under the *Municipal Elections Act*.

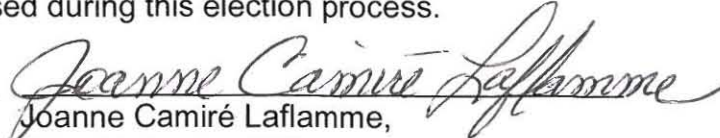
The *Municipal Elections Act*, more specifically Section 53, also provides that the Clerk may declare an emergency if he or she is of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with this Act and provides the authority to the Clerk to make arrangements for the proper conduct of the election. Any arrangements made by the Clerk, if they are consistent with the principles of the *Municipal Elections Act*, prevail over anything in the Act and the regulations and all such arrangements, if made in good faith, shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.

At the discretion of the Clerk, these procedures may be modified at any time.

Therefore, as Clerk of The Corporation of the Township of Russell and Returning Officer for the municipal elections, I do hereby certify and approve the following procedures for conducting the year 2014 municipal elections and also establish that the attached forms are the only forms permitted and to be used during this election process.

Amended version Oct 8, 2014

Date Approved


Joanne Camiré Laflamme,
Clerk/Returning Officer.

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2. DEFINITIONS

- (1) **Act** means the Municipal Elections Act, 1996, S.O. 1996 c.32, as amended.
- (2) **Advance Voting** since an alternative voting method has been chosen, the advance voting is replaced by a voting period.
- (3) **Auditor** means a person appointed pursuant to section 21 of these procedures.
- (4) **Candidate** means a person who has been nominated under Section 33 of the *Municipal Elections Act*.
- (5) **Certified Candidate** means a candidate whose nomination has been certified by the municipal Clerk under Section 35 of the *Municipal Elections Act*.
- (6) **Clerk** means the Clerk of The Corporation of the Township of Russell who is responsible for conducting this election under the authority of the *Municipal Elections Act, 1996*, as amended. *(This legislation provides that the Clerk of a municipality may provide for any matter that is not otherwise provided for in an Act or regulation and is, in the Clerk of the municipality's opinion, necessary or desirable.(Section 12 of the Municipal Elections Act, 1996)*
- (7) **Election Official** means the Clerk or other person(s) appointed in writing by the Clerk, and also listing in writing the assigned tasks or responsibilities as permitted by the Clerk, to carry out election duties under the *Municipal Elections Act, 1996* and has taken the prescribed oath(s).
- (8) **Friend** means a person who has been requested by an elector to assist him or her in the voting process.
- (9) **Help Centre** means a location provided by and staffed by the Township of Russell to assist electors with the voting process or other general election inquiries. The Help Centre shall be at the Town Hall located at 717 Notre Dame Street, Embrun, Ontario.
- (10) **Municipality** means The Corporation of the Township of Russell.
- (11) **Personal Identification Number (PIN)** means a unique sixteen (16) digit

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numeric number generated by the service provider to each elector to provide additional security of access to the voting system.

- (12) **Preliminary List of Electors** means a list of electors for the Township of Russell compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the Township of Russell by July 31st of an election year.
- (13) **Revision Centre** means a location designated by the Clerk of the Township of Russell to make additions, deletions and corrections to the Voters' List. This Centre shall also supply a telephone and internet access to accommodate voting during the voting period.
- (14) **Satisfactory Identification** means one or more pieces of identification which would verify the identity of an individual to the satisfaction of an Election Official.
- (15) **Service Provider** means the company the Township of Russell has contracted to supply a telephone and internet voting system for the 2014 municipal election.
- (16) **Scrutineer** means an individual, appointed in writing by a certified candidate, to represent him or her during the voting process.
- (17) **Voters' List** means the Preliminary List of Electors, as corrected by the Clerk, under the provisions of Section 22 of the *Municipal Elections Act, 1996*.
- (18) **Voting Day** means the day on which the final vote is to be taken in an election and shall be until 8:00 p.m. on Monday, October 27, 2014.
- (19) **Voter Identification Number** means a unique eight (8) digit number generated by the service provider and DataFix and used internally in the system in order to identify each eligible elector to provide security for access to the voting system.
- (20) **Voter Information Letter** means a sealed envelope containing a unique Personal Identification Number (PIN) and voting procedures to be sent to each person on the Voters' List.
- (21) **Voting Period** means voting conducted between the hours of 9:00 am beginning on Wednesday, October 22, 2014 and ending on Monday, October 27, 2014 at 8:00 p.m.

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3. APPLICATION

- (1) This procedure has been developed under the authority of Subsection 42(4) pursuant to Subsection 42(3)(a)(ii) of the *Municipal Elections Act, 1996*, and applies to the telephone and internet vote being conducted by The Corporation of the Township of Russell between Wednesday, October 22, 2014 and Monday, October 27, 2014.
- (2) The procedures and forms established by this document prevail over anything in the *Act* and its regulations, as per Subsection 42(4) of the *Municipal Elections Act, 1996*.
- (3) Where these procedures do not provide for any matter, the election shall be conducted as far as is consistent and practical within 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 of the Township of Russell. Any amendment to these procedures shall be signed by the Clerk and a copy of the amendment(s) shall be provided forthwith to all certified candidates for office for this Municipality and/or School Boards and/or Police Village Trustees.

4. SECRECY

- (1) The Clerk shall require all Election Officials and/or other persons working in connection with the municipal elections to swear or affirm an oath of secrecy in accordance with Section 49 of the *Municipal Elections Act, 1996*.
- (2) No person shall interfere or attempt to interfere with an elector while in the process of voting or interfere or attempt to interfere in the voting process unless expressly requested and authorized by an elector for 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 shall vote according to the instructions and wishes of the elector.
- (4) No person shall communicate any information that might have been

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inadvertently obtained about how an elector intends to vote or has voted.

- (5) No elector shall reveal how he or she intends to vote except when obtaining assistance in voting from either a “friend” or an Election Official.
- (6) All electors voting at the Help Centre may vote with the assistance of a “friend”. (*Form 4*). However, the “friend” shall be required to take the appropriate oath prior to providing assistance. (*Form 5*)
- (7) All complaints regarding any and/or all breaches of secrecy shall be investigated by the proper authorities and shall be prosecuted according to the provisions of “**Offences, Penalties and Enforcement**” under Sections 89 and 90 of the *Municipal Elections Act, 1996*.

5. PRELIMINARY LIST OF ELECTORS / VOTERS’ LIST

- (1) The Preliminary List of Electors is produced by the Municipal Property Assessment Corporation. The list shall be reviewed by the Clerk and obvious errors shall be corrected as permitted under Section 22 of the *Municipal Elections Act, 1996*. This list, as corrected, will constitute the Voters’ List.
 - a) On or before September 1st, 2014, the Voters’ List shall be reproduced and be made available in paper format by alphabetical order, to those who are entitled to copies under Subsections 23(3), (4) and (5) of the *Act*. Certified candidates may produce paper copies if they choose. Each certified candidate shall sign a statement acknowledging that the Voters’ List shall not be used for any commercial purposes (*Form 13*). No electronic list shall be provided to any persons as stated under *Section 88(11) of the Municipal Elections Act* including its regulations thereto.
 - b) The Voters’ List shall be updated and reproduced with a computer program called Municipal VoterView.
 - c) The Voters’ List shall be accessible by authorized election workers and may be reproduced in paper format by the Clerk to accommodate the administration in the voting process at the Revision Centre and the Help Centre.
 - d) Additions, corrections and deletions may be made to the list in accordance with Sections 24 and 25 of the *Municipal Elections Act, 1996*.

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- e) The Clerk shall produce a list of the additions, corrections and deletions, and shall distribute a paper format of these additions, corrections and deletions to those who are entitled to copies of the Voters' List under the *Act* and the same shall be the final Voters' List. A list of these additions, corrections and deletions in electronic and/or paper format shall be provided for use by the Revision Centre and Help Centre. This list, as required under Section 27 of the *Municipal Elections Act*, shall be available on September 22, 2014 at the Clerk's office.
 - f) The Municipal Property Assessment Corporation (MPAC) has agreed to provide to all local municipalities, after the statutory list of July 31st, with a supplementary list(s) of electors. As such, the Clerk shall verify the said list and, if deemed appropriate, shall include, delete or correct the Voters' List and shall include the same in the interim list of changes pursuant to Section 27(1)(a) & (b) of the *Municipal Elections Act*.
 - g) The final Voters' List, as corrected by the Clerk pursuant to Section 22 of the *Municipal Elections Act*, shall be provided to the service provider in order that the service provider may print the Voter Information Letters.
 - h) Voter Information Letters shall be returned to the Clerk for distribution by first class mail to all eligible electors to enable them to vote by telephone or internet.
 - i) The final Voters' List shall be continually updated by the Revision Centre until the closing of the vote on October 27, 2014 at 8:00 p.m.
- (2) The Revision Centre shall be established at the Town Hall, located at 717 Notre Dame Street, Embrun, Ontario and at such other locations as the Clerk deems appropriate.

The Revision Centre shall be responsible for the following:

- (a) Eligible electors who attend at the Revision Centre and are not on the Voters' List will be able to be added to the list by filling out a declaration form and providing satisfactory identification (*Form 1*).
 - (i) Their names will be added to the Voters' List and they will be assigned and receive (or mailed) a Voter Information Letter containing a PIN; and

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- (ii) They will be able to vote at the Revision Centre if they so wish during the voting period.
- (b) Verifying and re-issuing a Voter Information Letter to qualified electors:
 - (i) where a person on the Voters' List has lost his or her Voter Information Letter or did not receive it in the mail, he or she can attend at the Revision Centre in order to receive a new one. If it is during the Voting period the authorized election official shall verify in the system whether that elector's record shows that the voter has already voted. Upon providing satisfactory identification to the election official, an oath shall be taken by the elector and a new Voter Information Letter containing a new PIN shall be issued (Form 2).

6. REVISION OF THE VOTERS' LIST

- (1) The Voters' List shall be available by September 2, 2014. It may be consulted at the Clerk's office or by phone at 613-443-3066 extension 2310. The revision of the Voters' List will be carried out until October 27, 2014.
- (2) During the Voting period, from Wednesday October 22 until Monday October 27, 2014, electors wishing to have their names added to the list, or to have their registration modified or deleted (Form 1) shall attend the Revision Centre / Help Centre that will be located at the Town Hall, located at 717 Notre Dame Street, Embrun Ontario. The Revision Centre / Help Centre shall be open to the public on the following dates and times and at such additional dates and times as determined by the Clerk.

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Date	Time
Wednesday, October 22, 2014 Thursday October 23, 2014 Friday October 24, 2014	9:00 a.m. to 4:00 p.m.
Saturday, October 25, 2014 Sunday, October 26, 2014	9:00 a.m. to 1:00 p.m.
Monday, October 27, 2014	9:00 a.m. to 8:00 p.m.

- (3) Voters wishing to have their names added to the list shall present satisfactory identification documents giving at least their name and the address giving them the right to vote in the municipality (identification documents accepted are listed in provincial regulation 304/13). When a person is unable to present an identification document confirming their name and address, this person shall be identified by an eligible voter who shall take an oath confirming the eligibility of that person to vote, and shall also show his or her own identification document (Form 14). Failure to prove his or her identity and eligibility may result in being refused to be added on the Voters' List.
- (4) Outside the Voting period, the Revision Centre shall be located in the Clerk's department located at the Town Hall and open to the public on week days from 9:00 a.m. to 4:00 p.m. The same rules for identification apply.
- (5) Election officials have the right to require a voter to identify himself or herself, to show one or more identification document proving his or her eligibility to vote and to take an oath.
- (6) Form 1 must be completed by the voter but may be deposited by the voter's appointed representative. Voter Information Letters shall be mailed to the address indicated in Form 1. They will not be given to any other person than the voter himself or herself. In the case where the letter might not arrived on time for the end of the Voting period, the voter shall recuperate his or her letter at the Revision Centre.
- (7) Demands for the removal of another voter from the list shall be made on Form 12 and deposited from Tuesday September 2 to Thursday September 12, 2014 at 4:00 p.m.

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7. NOTICES

- (1) The Clerk of the Township of Russell shall notify electors of the following through the use of newspaper advertisements, the municipal website or any other method the Clerk deems appropriate:
 - (a) that a municipal election is being held for the Township of Russell and that the Municipality has adopted alternative voting methods, being vote by telephone and by internet;
 - (b) the time and date for the voting period and the method of voting including the office(s) of the Municipal Council and/or School Boards and/or Police Village Trustees;
 - (c) who is eligible to vote in the municipal election; and
 - (d) the location and hours of the Revision Centre and the Help Centre, how eligible electors can check to see if their name is on the Voters' List and the procedures by which their name can be added or information corrected on the Voters' List.
- (2) The Clerk shall determine the date(s) of all advertisements including in which newspaper(s) the notices are to appear in order to comply with the requirements and principles of the *Municipal Elections Act, 1996*. Joint advertisement(s) may be done with neighboring municipalities.
- (3) Each person on the Voters' List shall be mailed by "first-class" mail a sealed Voter Information Letter containing:
 - (a) his or her PIN and the telephone number to call and the website address to cast his or her vote;
 - (b) instructions on how to vote;
 - (c) dates and hours of voting;
 - (d) the location of the Revision Centre; and
 - (e) the location and telephone number of the Help Centre.

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8. VOTING

- (1) The alternative voting method, being either voting by telephone or by internet, shall be used for this municipal election:
 - (a) Voting by telephone or internet:
 - (i) Eligible electors shall be required to either telephone a designated number or access a website and cast their vote.
 - (ii) Every eligible elector shall be limited to only one vote through the use of a PIN distributed by Canada Post in a sealed and personalized Voter Information Letter.
 - (iii) Furthermore, every eligible elector shall be required to enter their date of birth to confirm eligibility.
 - (iv) The interactive voice response system and website, being accessible in either official language, will allow the eligible elector to vote.
 - (v) Following the elector's selection, while using the telephone system the interactive voice response system and website shall identify the elector's choice and provide the elector with the option of changing or confirming their vote.
 - (vi) The interactive voice response system and the website shall enable the elector to abstain from voting for an office(s) if he/she wishes to do so.
 - (vii) Once the PIN has been used it cannot be used again, unless disconnected while voting and then only further access shall be granted to the telephone or the internet voting system.
 - (b) Voting will commence on Wednesday, October 22, 2014 at 9:00 a.m. and conclude on Monday, October 27, 2014 at 8:00 p.m.
- (2) Prior to the activation of the system by the service provider on Wednesday, October 22, 2014 at 9:00 a.m., the service provider shall forward to the Clerk by electronic mail or facsimile transmission, a list of all of the candidates' names including the sum total of votes cast to ensure that all totals for all candidates indicate "0". The system will not be activated until it is confirmed that all numbers opposite a candidate's name have been deleted from the system and an electronic mail or facsimile

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transmission has been received indicating a “0” total for all candidates.

- (3) Candidates or their scrutineer may be present to verify and ensure that the total number of votes cast is “0” and may be requested to sign a document that attests to this fact.
- (4) During the voting period, the Clerk shall make available to the candidates or their scrutineers, a list of those electors who have voted. This list shall be printed daily and be available at 11:00 a.m. on October 23, 24, 25 and 26, 2014.
- (5) On Voting Day, October 27, 2014, the list of electors who have voted shall be available to candidates or their scrutineers on a more regular basis. The schedule will be determined subsequently.
- (6) Where an elector qualifies at more than one location in the Township of Russell, the elector must vote only once and the qualifying address to determine eligibility for voting shall be at the place of residence of the elector. All duplication of names on the preliminary list of electors shall be verified by the Clerk and/or Election Officials and all duplicate names of individuals shall be deleted prior to the final preparation of the Voters’ List. However, should an eligible elector receive more than one Voter Information Letter, the eligible elector can only vote once and must return the other Letter(s) to the Township Administration Office. All electors that vote more than once or who improperly use the Voter Information Letter shall be reported to the Ontario Provincial Police for further investigation as to possible corrupt practices under the *Municipal Elections Act, 1996*.
- (7) Voter Information Letters returned to the Municipal Office unopened will remain unopened, marked “unused” and be maintained in a secure fashion and will be destroyed at the same time as all other municipal election material as provided for under Section 88 of the *Municipal Elections Act, 1996*.
- (8) The Election Official will immediately delete the PIN from the system should a Voter Information Letter be returned to the Municipal Office that has been opened but has not been used for voting purposes. In this circumstance, the Voter Information Letter shall be marked “deleted”.
- (9) The Clerk and the Election Official(s) shall ensure a complete audit trail of all Voter Information Letters:
 - (a) that were sent to eligible electors;
 - (b) that were returned from the Post Office;

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- (c) that were returned by an elector or other individual(s) either opened or unopened but unused for voting purposes;
 - (d) that were deleted from the system;
 - (e) that were re-issued to an eligible elector; and
 - (f) that were received from the service provider and unassigned to potential eligible electors including the total number of Voter Information Letters that were assigned to eligible electors that have completed the appropriate form(s).
- (10)
- (a) Where an eligible elector has tried his or her PIN for the first time and it has already been used, the elector can attend at the Help Centre with satisfactory identification and have an Election Official confirm that the elector's PIN has been used by an impersonator.
 - (b) 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 all questions and answers of the elector and, if deemed appropriate, the Clerk shall submit the same to the Ontario Provincial Police for further investigation and prosecution.
 - (c) If the Election Official believes that all questions have been answered truthfully and to his or her satisfaction, 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 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 co-operate in the investigation in determining the individual(s) who has fraudulently used the PIN.
 - (d) Once the elector has properly answered all questions and taken the prescribed oath, the elector shall be issued a new Voter Information Letter containing a new PIN (*Form 3*). As a condition to re-issuance of a Voter Information Letter, the elector will be required to vote at the Help Centre. Should the elector fail to vote at the Help Centre or leave the Centre without voting, the Election Official shall forthwith delete from the system the PIN and the Voter Information Letter shall be voided. The elector shall forfeit his or her right to vote and shall not be entitled to a new Voter Information Letter. The Ontario Provincial Police shall be advised immediately to determine if a corrupt practice has occurred

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- (11) Where an eligible elector has tried his or her PIN and it is not valid, the Election Official will ensure that it has been activated.
- (12) (a) Where an eligible elector has received an incorrect Voter Information Letter in terms of school support, the elector can attend at the Revision Centre in order to receive a correct one provided that the Voter Information Letter has not been used to vote. If the elector has used the Voter Information Letter to vote and the system indicates that the elector has used this Voter Identification Number, the elector shall have deemed to have voted and shall be denied a new Voter Information Letter.
- (b) The eligible elector shall return the original unused Voter Information Letter to the Election Official in order to qualify for a new Voter Information Letter. The PIN shall be deleted immediately by the authorized Election Official. Upon receiving satisfactory identification (and completing a statutory declaration), a new Voter Information Letter shall be issued to the elector. (*Form 1*).
- (14) A Voter Information Letter shall only be given out to the elector who attends personally at the Revision Centre. PINs or any security number(s) shall not be given out over the telephone or by e-mail. A Voter Information Letter containing the PIN shall not be given to any person at the Revision Centre unless satisfactory identification is provided and the elector has taken the required oath(s) as administered by the Election Official.

9. VOTER QUALIFICATIONS

- (1) Persons with the following qualifications are the only ones entitled to vote in this Municipal Election:
 - A person who,
 - (a) is a resident in the Township of Russell, or is the owner or tenant of land in the Township of Russell, or the spouse of such an owner or tenant; and
 - (b) on Voting Day, being October 27th 2014:
 - (i) is a Canadian citizen,
 - (ii) is at least 18 years old, and

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- (iii) is not prohibited from voting under subsection 17(3) of the *Municipal Elections Act, 1996* or otherwise by law.
- (2) The following are prohibited from voting:
 - (a) A person who is serving a sentence of imprisonment in a penal or correctional institution;
 - (b) a corporation;
 - (c) a person acting as executor or trustee or in any other representative capacity.

10. VOTING PROCESS

- (1) Eligible electors may vote by:
 - (a) (i) accessing the telephone number provided by using either a touch tone telephone or cellular telephone. “Diga-pulse” telephones will not be able to access the system using their PIN provided unless the over-ride button on their telephone is in the “touch-tone” mode. Should the preceding be incorrectly completed, the interactive voice response (IVR) system will provide an error message requesting that the eligible elector obtain assistance from an Election Official or vote at the Help Centre. **VOTING CANNOT BE COMPLETED BY USING A ROTARY TELEPHONE.**
OR
 - (ii) by accessing the website at the address indicated on the Voter Information Letter.
 - (b) attending the Help Centre during the dates and times indicated in section 6. A touch tone phone and computers and/or tablets will be available. Any telephone provided at the Help Centre shall delete any display options on the telephone;
 - (c) attending at the Help Centre during the dates and times identified in section 6 with a friend, who will have to take the appropriate oath(s) and having the friend vote using the touch tone telephone or computer or tablet provided (*Forms 4 & 5*). In the absence of a friend, the elector may request the assistance of the Election

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Official, who may provide assistance only after the appropriate oath (*Form 4*) has been taken;

- (d) attending the Help Centre during the dates and times identified in section 6 with an interpreter, taking the appropriate oral oath(s) and voting using the touch tone telephone or computer or tablet provided; (*Form 6*);
- (e) requesting assistance by telephone to a Help Centre Election Official, by taking the appropriate verbal oath(s) and voting with the assistance of the Election Official (*Form 4*).
- (f) with the assistance of an Election Official that will be provided to the following institutions and retirement homes on the specified date(s) and hours:

NAME OF RETIREMENT HOME OR INSTITUTION	DATE	HOURS FOR ASSISTANCE
Russell Meadows 475 Church Street, Russell	Thursday October 23, 2014	9:00 a.m. – 11:30 a.m.
Le Pavillon 1122 Notre Dame Street, Embrun	Thursday October 23, 2014	1:00 p.m. – 3:30 p.m.
Résidence Servant 1063 Notre Dame Street, Embrun	Friday October 24, 2014	9:00 a.m. – 11:00 a.m.
Foyer St-Jacques Nursing Home 915 Notre Dame Street, Embrun	Friday October 24, 2014	1:00 p.m. – 3:00 p.m.

Dates and times will be established by the Clerk in consultation with the owner or manager of the respective retirement homes or institutions. The schedule will be given to the certified candidates. **Candidates or their scrutineers will be authorized to visit the satellite voting polls fifteen minutes prior to the beginning of the vote, but will be requested to leave when voting begins. As Clerk, I do hereby designate these areas/locations identified above as polling locations under the provisions of the Municipal Elections Act during the date and time identified above.

SPECIAL NOTE: Voter Information Letters for residents of these retirement homes or institutions may not be mailed but may remain in the custody of the Election Official(s) assigned to assist at these retirement homes and institutions. Voter Information Letters may be remitted to an immediate family member (father, mother, brother, sister or a child of a resident of the retirement home or institution) conditional that the family member prescribes to the appropriate oath(s). Special institutional polls are for the exclusive use of the eligible electors who are residents of these institutions or retirement homes.

11. CANDIDATES AND SCRUTINEERS

- (1) Each candidate may appoint in writing any number of persons as necessary to act as a scrutineer and to represent the candidate at the polls as stated under Section 16 of the *Municipal Elections Act, 1996*.
- (2) Scrutineers must be appointed in writing “Appointment/Oath of Scrutineer” (Form 8) and prescribing to the oath(s) of secrecy (Form 7) they will be provided a copy of the list of voters showing all voters that have voted and upon request shall provide proof of their appointment to the election official at the voting station so requesting such proof.
- (3) Only one scrutineer may be present at each Designated Election Official’s station in the Help Centre where a voters’ list is available; and DRO table at a time. When a Candidate arrives at a DRO table, the scrutineer connected to that candidate will be required to leave the location, as the candidate is considered to be a scrutineer.
- (4) Candidates and appointed scrutineers, have the following rights:
 - (a) to enter the Help Centre location 15 minutes prior to the official opening in order to; verify that all votes cast are at “0” as described in section 8.3, and to sign the reports, however, the actions of the Scrutineer shall not in any way delay the opening of the voting location.
 - (b) to be present at the time and place where results are received by the Clerk including signing the document that indicates the final results and votes cast. No copy of the final results will be provided until posted at the Town Hall and/or other designated area as determined by the Clerk.
- (5) However, certain restrictions apply to scrutineers and to certified candidates as well:
 - (a) attempting directly or indirectly to interfere, influence or to determine how an elector is voting or intends to vote;
 - (b) **displaying a candidate’s election campaign material or literature in Help Centre or on the property of the Help Centre;**
 - (c) compromising the secrecy of the voting;

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- (d) interfering or attempting to interfere with an elector who is voting;
- (e) limiting discussion with voters as to not intimidate other voters on site;
- (f) obtaining or attempting to obtain, in a voting place, any information about how an elector intends to vote or has voted; and
- (g) communicating any information about how an elector intends to vote or has voted.
- (h) Scrutineers will be required to wear a stick-on identification label as issued to them by the Assistant Returning Officer. The identification label will indicate that they are acting in the capacity of a scrutineer for a particular candidate. No other identification, badges, buttons or clothing with symbols or writing which may identify a particular candidate will be permitted in the Help Centre.

The disrespect of any of these conditions by any scrutineer or candidate will result in the expulsion of the scrutineer or candidate and their appointment will be revoked and will not be permitted to re-attend at the Help or Revision Centre.

Use of a cellular telephone **SHALL NOT BE PERMITTED** within the Revision and Help Centres by any elector, candidate or scrutineer.

12. SYSTEM

- (1) The integrity of the voting process shall be the responsibility of the Clerk of the Township of Russell and shall be preserved by:
 - (a) ensuring that every eligible elector on the Voters' List is mailed, using Canada Post, a sealed Voter Information Letter which contains the elector's unique PIN;
 - (b) ensuring that only the service provider, and no other person, including the Clerk, maintains a list of PINs that matches each elector's name and address; and
 - (c) providing an opportunity for eligible electors who do not appear on the Voters' List to be added to the list or to make amendments to the list, up to and including Monday, October 27, 2014 at 8:00 p.m.; and

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- (d) establishing and enforcing proper procedures to ensure that no person is added to the Voters' List unless an Election Official is completely satisfied of the person's identity and qualification as an elector in the municipality.
- (2) The voting system shall be tested at least once prior to the commencement of the voting period. The test(s) shall include, but not be limited to the following:
 - (a) checking the verbal content and the wording of the script and text on the website;
 - (b) checking the Help Centre and Revision Centre telephones;
 - (c) checking five and ten second delays for the telephone voting;
 - (d) attempting to use a PIN more than once;
 - (e) balancing a predetermined number of votes with those cast;
 - (f) matching PINs to names and addresses;
 - (g) checking the system which is used for activating PINs through the revision process; and
 - (h) deliberately keying in the wrong information.
- (3) In continuing to provide for the integrity of the system and to ensure confidence of this process, a demonstration to the certified candidates or their scrutineer will be provided of the items specified in paragraph 12(2) of this document. The location, date and time for this demonstration shall be determined by the Clerk and shall be prior to the voting period.
- (4) The system demonstration to candidates will also indicate the actual names of the candidates in order that the names are correctly enunciated and written at which time the candidate(s) will have an opportunity of requesting changes in the pronunciation and the spelling of their name(s) only.
- (5) All certified candidates are to provide to the Clerk the proper pronunciation of their name, in English and in French, including the spelling of their name, no later than September 15, 2014.

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13. EMERGENCIES

- (1) The Clerk may declare an emergency if the Clerk is of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with the *Municipal Elections Act*. This authority relates not only to the conduct of the vote but also to any aspect of the election process.
- (2) On declaring an emergency, the Clerk shall make such arrangements as he/she considers advisable of for the conduct of the election.
- (3) 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.
- (4) The emergency continues until the Clerk declares that it has ended.
- (5) If made in good faith, the Clerk's declaration of emergency and arrangement shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.
- (6) It shall be the policy that in the event of an emergency, as determined by the Clerk, that the Clerk shall to the best of his/her ability advertise such emergency.
- (7) If required, the Clerk may consider alternate options for the following:
 - (a) Reporting result
 - (b) Notification of electors
 - (c) Election Officials
 - (d) Voting period (delay of Voting Day, extension of voting hours or days(s))
 - (e) Alternate voting place or alternate facility.
- (8) If any part of the voting for an office is not completed, do not release the results until the voting for that office is completed.
- (9) In the event of an emergency the provider of the Internet and Telephone Voting services will take direction from the Clerk as to what actions will be taken, shall stop the Internet and Telephone Voting system from accepting calls via a telephone and connections from the Internet, thus preventing the election from continuing, or starting, as the case may be.

14. CAMPAIGN MATERIAL / SIGNS

- (1) By-law 29-77, as amended of the Corporation of the Township of Russell regulates the erection of signs for election purposes. Please be advised that under by-law 29-77 the Township of Russell will enforce the following regulations:
 - (a) No permit is required for the erection of election signs.
 - (b) No signs shall be erected prior to 2:00 p.m. September 12, 2014 for the purpose of the 2014 Municipal elections.
 - (c) Signs must be removed within 72 hours after the day of the election (October 30, 2014 by 8:00 p.m.)

- (2) Section 12 of the Municipal Elections Act, prescribes that a Clerk who is responsible for conducting an election may provide for any matter or procedures that is necessary or desirable for conducting the election and that is not otherwise provided for in an Act, or regulation. To this effect we found it necessary to implement the following:
 - (a) No signs shall obstruct the view of motorists and pedestrians.
 - (b) No signs shall be erected on the following premises or structures:
 - (i) Embrun Community Centre, 6 & 8 Blais Street, Embrun (more specifically between Marcel Street and St-Jean Baptiste Street)
 - (ii) Russell Township Town Hall, 717 Notre-Dame Street, Embrun
 - (iii) St-Jacques Nursing Home, 915 Notre-Dame Street, Embrun
 - (iv) Le Pavillon, 1122 Notre-Dame Street, Embrun
 - (v) Résidence Servant, 1063 Notre Dame Street, Embrun
 - (vi) Russell Meadows, 475 Church Street, Russell
 - (vii) All properties of the Corporation of the Township of Russell, including but not limited to parks, the nature trail, the Russell Museum, La Maison des Arts, arenas, the youth centre, community centers, fire halls, etc.
 - (viii) utility poles, road signs and roundabout at the intersection of Notre Dame Street and St. Guillaume Road in Embrun.

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- (3) During the voting period starting at 9:00 a.m. on Wednesday October 22, 2014 and until 8:00 p.m. on Monday October 27, 2014, the entire properties (both inside and outside of the building) where voting places or a Help Desk are located will be designated as voting places and candidates, supporters or scrutineers are not permitted to wear campaign material, hand-out campaign material or park a vehicle displaying campaign material upon such property (being properties listed in section (2) (b) (i) to (vi) above).
- (4) If campaign material or signs are found to be posted or exposed inappropriately, the candidate will be notified by the Public Safety and Enforcement Department or election personnel and will be requested to remove the material or signs. If they are not removed within reasonable time, then the Public Safety and Enforcement Department or election personnel will proceed to remove them.

15. CORRUPT ELECTION PRACTICES - PROVINCIAL OFFENCE AND PROSECUTION

- (1) Sections 89 and 90 of the *Municipal Elections Act* provides for penalties and enforcement of corrupt practices and other offences during an election process.
- (2) Although the Township of Russell will be using an “alternative-voting method”, being the vote-by-telephone and internet, the principles and the integrity of the election process will remain and is enforceable.
- (3) No person(s) shall solicit, in any form from an eligible elector, their Voter Information Letter. All complaints or knowledge of solicitation shall be reported immediately to the Ontario Provincial Police for investigation of corrupt practices.
- (5) In addition, under the provisions of Section 90 of the *Municipal Elections Act*, if a person is convicted of an offence and the offence was committed knowingly, the offence also constitutes a corrupt practice and the person is liable, in addition to any other penalty, for a term of imprisonment not more than six (6) months.
- (6) Although many provisions of the *Municipal Elections Act* also deals with voting places, ballots and ballot boxes, etc. the same must be used interchangeably with the “alternative form” of voting since the principle of

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the *Act* must be maintained and is therefore enforceable and subject to penalties.

- (7) All candidates, scrutineers or their election team are prohibited to help or assist an elector to vote during the voting period including but not limited to their door to door campaign as this can be perceived as an illegal and corrupt election practice.
- (8) As such, the Clerk of the Township of Russell has established the following rules and regulations for the alternative form of voting:
 - a) THAT all complaints which may contravene the provisions of the *Municipal Elections Act*, either verbally or written, will be investigated by the Clerk;
 - b) THAT all such complaints, once investigated to the extent and knowledge of the Clerk, will be submitted to the local detachment of the Ontario Provincial Police;
 - c) THAT the Detachment Commander of the Ontario Provincial Police has been advised that all such complaints will be turned over to his or her office for further investigation;
 - d) THAT the Detachment Commander of the Ontario Provincial Police, once the investigation completed, may communicate with the Crown Attorney's Office to determine if an individual(s) will be prosecuted.
 - e) THAT the Clerk or any Election Official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.
 - f) THAT a complaint may be made directly to the Detachment Commander of the Ontario Provincial Police if the complainant so desires.

16. MAIL TAMPERING - CRIMINAL OFFENCE AND PROSECUTION

- (1) The *Criminal Code of Canada* states that tampering with the mail of an individual is a criminal offence and a person(s) found guilty is liable to a term of imprisonment not exceeding ten (10) years.

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- (2) Since the Township of Russell will be using an “alternative-voting method”, being the vote by telephone and by internet, and that notification of the voting process and how electors can access the voting system in order to exercise their right to vote will be completed through the mail, mail tampering is a criminal offence under the *Criminal Code of Canada*.

As such and in order to ensure the integrity and confidence of the voting process for all electors and the candidates, the Clerk of the Township of Russell in this alternative form of voting hereby establishes the following rules and regulations:

- a) THAT all complaints regarding contravention of the provisions of the *Criminal Code of Canada* with respect to mail tampering, either verbally or written, will be investigated by the Clerk;
- b) THAT all such complaints, once investigated to the extent and knowledge of the Clerk, will be submitted to the local detachment of the Ontario Provincial Police;
- c) THAT the Detachment Commander of the Ontario Provincial Police has been advised that all such complaints will be turned over to his or her office for further investigation;
- d) THAT the Detachment Commander of the Ontario Provincial Police, once the investigation is completed, may communicate with the Crown Attorney’s Office to determine if an individual(s) will be prosecuted.
- e) THAT the Clerk or any Election Official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.
- f) THAT a complaint may be made directly to the Detachment Commander of the Ontario Provincial Police if the complainant so desires.

17. RESULTS

- (1) The service provider shall keep its public voting lines and website open until 8:00 p.m. on Monday, October 27th 2014 and its Help Centre lines open until the Clerk of the Township confirms that all eligible electors in the Help Centre at 8:00 p.m. on Monday, October 27th 2014 have completed voting. It shall be noted that the elector will be disconnected from the telephone and internet voting systems after a delay of 20 minutes.
- (2) The Clerk of the Township of Russell, at 8:00 p.m. on October 27th 2014, shall not permit any person to enter the Help Centre and after all eligible electors within the Help Centre have voted, shall request the close and deactivation of the vote by telephone and internet voting systems at the Help Centre and shall also request the tabulation of the results for each candidate.
- (3) The Clerk shall report the “**unofficial**” results when received from the service provider after 8:00 p.m. on Monday, October 27, 2014 at the Town Hall including any other location as deemed appropriate by the Clerk.
- (4) Pursuant to Subsection 55(4) and subject to the provisions of Section 56 of the *Municipal Elections Act* concerning “Recount”, the Clerk shall on Tuesday, October 28th 2014 at the hour of 1:00 p.m. at the Town Hall located at 717 Notre Dame Street, Embrun, Ontario:
 - (a) declare the candidate or candidates, as the case may be, who received the highest number of votes to be elected; and
 - (b) declare the result of any vote on a by-law or question.

18. TIED VOTE - RECOUNT PROCEDURES

- (1) In the case of a tied vote, as provided under Section 56 of the *Municipal Elections Act*, the Clerk of the Township of Russell shall request from the service provider a re-tabulation of the votes cast.
- (2) Pursuant to Subsection 56(2) of the *Municipal Elections Act*, the recount shall be held within fifteen (15) days after the Clerk's declaration of the results of the election, and therefore the recount shall occur on Thursday, November 6, 2014 at the hour of 10:00 a.m. at the Town Hall, located at 717 Notre Dame Street, Embrun, Ontario.
- (3) Pursuant to Subsection 61(1) of the *Municipal Elections Act*, the following persons will be authorized to attend the recount:
 - (a) the Clerk and any other Election Official appointed by the Clerk for the recount procedure including the Municipal lawyer;
 - (b) every certified candidate for the office;
 - (c) the lawyer for each of the candidates; and
 - (d) only one (1) scrutineer for each of the candidates.
- (4) At the precise hour of 10:15 a.m., the Clerk shall request the service provider to re-tabulate the results for the office(s) that are subject to the recount procedure. The service provider shall send the results of the recount by electronic mail (email) or facsimile transmission.
- (5) Upon receipt of the final results of the recount, the Clerk shall announce the results of the recount and in the event of a tied vote, Subsection 62(3) of the *Municipal Elections Act* shall apply, being as follows:

“If the recount indicates that two or more candidates who cannot both or all be declared elected to an office have received the same number of votes, the Clerk shall choose the successful candidate or candidates by lot”.
- (6) In the event that a tied vote occurs after the statutory recount, the following procedure shall be used and applied:
 - a) the Clerk shall determine the texture and quality of the paper used for this process and each candidate or the candidate's lawyer and/or scrutineer will have an opportunity of examining the paper to be used to inscribe the names of the candidates;

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- b) the Clerk shall inscribe the name of each candidate on a similar size paper and the candidate(s), the candidate's lawyer and/or scrutineer, without touching the paper, examine the same. In addition, all persons present will have an opportunity of examining the box which will be used for conducting the lot;
 - c) upon acceptance of all the candidates that the process outlined in paragraphs a) and b) have been adhered to, the Clerk shall fold the papers bearing each candidate's name twice in two (2) equal parts and shall deposit these papers, in full view of all persons present and authorized to attend, in an open-end box that will be acceptable to all persons present. In the event of a conflict or difference of opinion as to the selection of the box, the Clerk shall determine the box to be used for this process.
- (7) Upon completion of this process, the Clerk shall hold the box and, without looking into the box, ensure that the contents has been displaced sufficiently and request the Municipal lawyer or a person appointed by the Clerk to draw only one (1) or the required number for the purpose of determining the successful candidate or candidates.
 - (8) The Municipal lawyer or a person appointed by the Clerk shall hand directly to the Clerk the selected and required number of papers and the Clerk shall read aloud the name of the candidate or candidates and proceed to declared this or these individuals elected.
 - (9) Once completed, the Municipal lawyer or a person appointed by the Clerk shall remove the remaining contents from the box and provide an opportunity for all persons present to examine these slips of papers including the box.

19. AFTER VOTING DAY

- (1) At no time after voting day shall the Voter Identification Numbers and PINs come together to allow anyone to know how an elector has voted.
- (2) All election materials shall be destroyed in accordance with the principles of Section 88 of the *Municipal Election Act, 1996*.

20. COMMUNICATING WITH CANDIDATES

- (1) To facilitate the electoral procedures and communications with candidates, the Clerk will ask each candidate the method of communication he or she prefers (e-mail, fax, mail), and this method will be used for the whole electoral process unless the format of the document does not permit its uses. In such a situation, the Clerk will contact the candidates by phone to determine how the document may be delivered. All communications and/or documents will be considered having been delivered to each candidate at the same moment an e-mail has been sent, upon successful transmission of a fax or the day after a document has been put in regular mail.

21. AUDITOR

- (1) The Clerk may appoint an auditor who will assist the Clerk to help ensure the election is conducted in accordance with the Act.
- (2) If the Clerk appoints an auditor then the Clerk will amend these procedures to provide for the responsibilities and actions to be undertaken by the auditor and shall immediately notify all certified candidates.

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22. ATTACHMENTS - FORMS

The following forms and notices have been approved and are the only one's prescribed for use by the Township of Russell for the election process:

FORM NUMBER	DESCRIPTION / NAME OF FORM OR NOTICE
FORM 1	Additions, Corrections and Deletions to the Voters' List (EL 15)
FORM 2	Voters' Information Letter - (Lost and Unused)
FORM 2a	Voters' Information Letter - (Internet Interrupted)
FORM 3	Voters' Information Letter - (Impersonator)
FORM 4	Oral Oath of Incapacity to Vote without Assistance
FORM 5	Oral Oath of Friend of Elector
FORM 6	Oath of Interpreter
FORM 7	Oath of Secrecy
FORM 8	Appointment / Oath of Scrutineer
FORM 9	Oath of Candidate at the Help Centre
FORM 10	Oral Oath of Qualification
FORM 11	Appointment and Oath of Election Official
FORM 12	Removal of Another Person's Name from the Voters' List
FORM 13	Candidate's Declaration – Proper Use of Voters' List
FORM 14	Declaration of the owner or tenant for his/her spouse or occupant who does not have any piece of identification (addition to the Voters' List)

Additional forms to those identified above may be approved by the Clerk of the Township of Russell.