



Voting Procedures for the Optical Scan Vote Tabulator
2023 HDSB School Trustee By-election,
Wards 1 & 2

(IN ACCORDANCE WITH SECTION 42(3) OF THE MUNICIPAL
ELECTIONS ACT 1996) 2023 HDSB Trustee By-election, Wards 1&2

ISSUED BY THE ELECTIONS OFFICE

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CONTENTS

PURPOSE	2
AUTHORITY 42(3).....	2
DEFINITIONS	2
EXCEPTIONS.....	4
VOTING HARDWEAR AND SOFTWARE	5
TABULATOR	5
TABULATOR PROGRAMMING	5
TABULATOR TESTING – LOGIC & ACCURACY.....	6
TESTING THE VOTE COUNT TABULATOR (DIAGNOTIC TESTING).....	6
TESTING MEMORY DEVICES.....	6
TESTING LOCATIONS.....	6
TESTING BALLOTS	6
DEFECTIVE MACHINE	6
TEST DOCUMENTATION	6
SPARE VOTE COUNT TABULATORS	7
PROCEDURE FOR TESTING BALLOTS – LOGIC & ACCURACY.....	7
COMPLETION OF TESTING.....	7
ADVANCE VOTE DAY	7
ADVANCE POLL CLOSING	8
VOTING DAY OPENING	8
VOTING DAY CLOSING	9
RESULTS FROM VOTING DAY	10
VOTING PROCEDURES.....	10
POTENTIAL BALLOT REJECTIONS	11
TABULATOR FAILURE	13
RESULTS FROM ADVANCE POLLS.....	14
RESULTS FROM SPECIAL POLLS.....	14
RETENTION OF ELECTION RECORDS	14
CANDIDATES AND SCRUTINEERS	14
APPENDIX A	15

PURPOSE

City of Burlington Council has adopted By-law 38-2022 to authorize the use of Optical Scan Vote Tabulators (herein referred to as “Tabulator(s)”) for the purposes of tabulating ballots cast at in-person polls during the Voting Period. The following procedures have been established in relation to the use of Tabulators in accordance with the requirements for the *Municipal Elections Act, 1996* (the Act) and through the authority of the City Clerk for the purposes of the Voting Period.

AUTHORITY 42(3)

- 1) These procedures apply to Voting Day (May 29, 2023) and in-person advance polls (May 24, 2023) under section 42(3) of the Municipal Elections Act authorizing the use of Tabulators at designated voting locations.
- 2) Additionally, these procedures apply to City of Burlington Election Officials and any other person involved with the acquisition, handling, storage, transportation, testing, and use of Tabulators for the purposes of Voting Day.
- 3) It is well established that the Principles of the Act are:
 - a. The secrecy and confidentiality of the vote is paramount.
 - b. The election should be fair and non-biased.
 - c. The election should be accessible to all Eligible Voters.
 - d. The integrity of the process should be maintained throughout the election.
 - e. There is to be certainty that the results of the election reflect the votes cast.
 - f. Eligible Voters and Candidates should be treated fairly and consistently; and
 - g. A proper majority vote decides the election by ensuring, so far as reasonably possible, that valid votes be counted, and invalid votes be rejected.
- 4) The City Clerk has the authority under section 12 (1) of the Act to update and revise these procedures, and updated versions of these procedures will be electronically mailed to all Candidates.

DEFINITIONS

- 5) In this procedure,
“**Act**” shall mean the Municipal Elections Act, 1996, Statutes of Ontario 1996, Chapter 32, as amended.

“**Auxiliary Compartment**” means the front compartment of the Tabulator Ballot Box where cast ballots are temporarily stored until polls are closed where they are then scanned in the event a Tabulator fails to operate. This is a secure area for ballots that are not fed through the Tabulator.

“**Ballot Bag**” a large cloth bag with the City of Burlington logo, that is placed in the **Tabulator Ballot Box** for the ballots to drop into once they have been cast by the **Tabulator**.

“**Blank Ballot**” shall mean a ballot without votes in any of the specified voting spaces. A **blank ballot** card will be processed in the same manner as a cast ballot.

“**Cancelled ballot**” means a ballot that has been marked by an **Eligible Voter** that:

- a. Cannot be properly read by a **Tabulator** and the **Eligible Voter** requests a subsequent ballot to properly record his/her vote; or
- b. Has been inadvertently spoiled by the **Eligible Voter** and the **Eligible Voter** requests a subsequent ballot from the **Election Official** to properly record his/her vote.

“**Candidate**” means a person who has filed a Nomination Paper that has been certified by the **City Clerk** in accordance with Section 35 of the Act.

“**City**” means the Corporation of the City of Burlington.

“**City Clerk**” means the person appointed as **City Clerk** of the **City** under Subsection 228(1) of the *Municipal Act*, 2001, S.O. 2001, c.25.

“**Compact USB Card**” means the pre-programmed USB memory card that is sealed in the vote **Tabulator** containing all **Candidate** information specific to the **Voting Poll**.

“**Deputy Returning Officer (DRO)**” means a person appointed as an **Election Official** assigned to a specific voting poll for the advanced voting period or **Voting Day**.

“**Declined ballot**” means a ballot that has been returned by an **Eligible Voter** who does not wish to vote and forfeits their right to vote. **Declined ballots** are counted.

“**Election Office**” means the location where the final tally of the **Tabulators** and final voting results will be compiled.

“**Election Official**” shall mean any person designated by the **City Clerk** to perform certain election functions. The term “**Election Official**” includes but is not limited to the following: **Deputy Returning Officer, Tabulator Operator**.

“**Eligible Voter**” is a person who, as of **Voting Day**, is:

- a) a resident of Burlington in Ward 1 or 2 or the owner or tenant of residential property in Burlington Ward 1 or 2, or the spouse of such owner or tenant; and
- b) is a Canadian citizen; and
- c) is at least 18 years old; and
- d) currently an English public school board supporter; and
- e) is not otherwise prohibited from voting.

“**Office**” refers to the race in which a candidate is registered to run as governed by the **Act** (i.e., School Board Trustee).

“**Results Tape**” means the printed record that is generated from the **Compact USB Card** within the **Tabulator** and physically printed out the tabulator for each **Voting Poll** and represents the number of votes cast for each candidate within the race.

“**Scrutineer**” means a **Candidate**, or any person appointed by a **Candidate** in accordance with any rules and procedures established by the **City Clerk**, observing any part of the 2023 HDSB School Trustee By-election, Wards 1 & 2, including, but not limited to, the testing of the online voting system and **Tabulators**, the voting at a **Voting Poll** or special polling location, and the tabulation of any votes cast.

“**Secrecy Folder**” means an apparatus in which a ballot can be placed so as to conceal the names of the **candidates** and the marks on the ballot face but does expose the initials of the **DRO**.

“**Supervising Deputy Returning Office (SDRO)**” means a person appointed as an **Election Official** assigned to a specific voting poll for the advanced voting period or **Voting Day**.

“**Tabulator**” means the machine that optically scans ballot to read the votes cast and tabulates the results.

“**Tabulator Ballot Box** ” means a cardboard container that the counted ballots are automatically deposited into by the **Tabulator**.

“**Voting Day**” means the day on which the final vote is to be taken in the 2023 HDSB School Trustee By-election, Wards 1 & 2 (May 29, 2023).

“**Voting Period**” means the continuous period beginning at 10:00 a.m. on Monday, May 15, 2023, and ending at 8:00 p.m. on **Voting Day**.

“**Voting Poll**” means location(s) established by the **City Clerk** to conduct voting.

“**Zero Tape**” means the printed record that is generated from the **Tabulator**, prior to opening of the **Voting Poll**, indicating that there are no votes cast for any **Candidate**.

EXCEPTIONS

- 6) **Tabulators** will not be used in the special poll locations that are only for residents of the subject retirement/nursing homes. The 2023 Special Voting Place Procedures outline how these ballots will be tabulated on **Voting Day**.
- 7) Any matter not provided for within these procedures shall be dealt with as far as practicable in accordance with the principles of the **Act**.
- 8) **Tabulators** will not be used for tabulation of any ballots cast using online voting.

VOTING HARDWEAR AND SOFTWARE

- 9) Appendix “A” identifies the integrated system of voting hardware and software used during an election.

TABULATOR

- 10) All **Tabulators**, **Compact USB Cards** and election supplies shall be securely stored at the **City Clerk's** designated location before and after use at the **Voting Polls** during the election.
- 11) The **City Clerk** shall designate **Voting Polls** where the **Tabulator** will be located. Each **Voting Poll** shall have one **Tabulator**.
- 12) In an emergency, where the **City Clerk** has not provided a spare **Tabulator** at a **Voting Poll**, the **City Clerk** shall designate a place to which the ballots shall be taken after the close of the voting to be tabulated by a **Tabulator**.
- 13) The equipment vendor shall conduct full maintenance of all **Tabulators** prior to **Voting Days**.

TABULATOR PROGRAMMING

- 14) The **Tabulator** shall be programmed so that a printed record of the number of votes cast for each **candidate** can be produced. All **Tabulators** received from the **Tabulator Provider** will go through the programming process.
- 15) The **Tabulator** shall be programmed so that ballots are handled by the **Tabulator** as follows:
- i. Ballots which the **Tabulators** cannot read (i.e., **cancelled** ballot or defective in a way that the ballot cannot be processed by a **Tabulator**) are rejected by the **Tabulator** and returned to the **Election Official**.
 - ii. Ballots can be read in any direction when inserted in the **Tabulator**.
 - iii. Ballots which are marked with **over-votes** will be returned to the **Election Official** giving the option to CAST or RETURN the ballot. If RETURN is chosen the ballot will be returned to the **Eligible Voter** to verify, repair their vote, spoil their ballot, or return for re-insertion and acceptance. If CAST is chosen only the ballot races not **over-voted** or considered blank will be accepted and counted.
 - iv. Ballots with no **DRO** initials will be returned by the **Tabulator** to the **Tabulator Officer** to verify the validity of the ballot. The **Tabulator Officer** will direct the **Eligible Voter** back to the **DRO** who issued the ballot to verify the ballot and initial it. The elector will then return to the **Tabulator** and cast their ballot.

TABULATOR TESTING – LOGIC & ACCURACY

- 16) Prior to the **Voting Period**, the **City Clerk** or designate shall conduct logic and accuracy testing (“L&A Testing”) of all **Tabulators** to be used in the election. This will include replacement **Tabulators**, to ensure that they will accurately count the votes cast for all **Candidates** and operate as programmed.

TESTING THE VOTE COUNT TABULATOR (DIAGNOTIC TESTING)

- a. This test will ensure that the battery charge, time settings, LCD Touch Screen, system memory, printer, ports, and scanners are all functioning properly.

TESTING MEMORY DEVICES

- b. Every **Compact USB Card** memory device will be tested to ensure it is not defective and can only read acceptable ballot faces.

TESTING LOCATIONS

- c. Every **Voting Poll** which will have a **Tabulator** must be inspected. During the inspection, each location’s power source which will be used on **Voting Day** will be tested.

TESTING BALLOTS

- d. Once the ballots have been printed and received from the printing house, a test deck must be prepared and tested on each machine. A test deck must include every type of ballot used at a particular location and be comprised of samples of **Blank Ballots**, over-voted, under-voted, properly completed ballots, and **Cancelled Ballots**.

DEFECTIVE MACHINE

- e. If the **City Clerk** or designate detects any error in the L&A Test, the cause of the error shall be identified and corrected, and the test repeated until an errorless test is achieved and verified to the satisfaction of the **City Clerk** or designate.

TEST DOCUMENTATION

- f. A complete record of all testing phases must be retained.
- g. In the event that the competency of the voting equipment is questioned, all printouts, reports, and test decks shall be retained to verify the actions taken. The **City Clerk** shall

retain, pursuant to section 88 of the **Act**, the pre- audited group of ballots, the **Results Tapes** that were produced during the L&A Test and other materials used in the programming and testing of the **Tabulators**.

SPARE VOTE COUNT TABULATORS

- h. Prior to **Voting Day**, any spare **Tabulators** shall be tested along with the other **Tabulators**, as described in the section “Tabulator Testing – Logic & Accuracy”.

PROCEDURE FOR TESTING BALLOTS – LOGIC & ACCURACY

- i. The L&A tests shall be conducted as follows on each **Tabulator**:
 - i. Assign a varying number of votes to a pre-audited group of ballots marked with the black ballot marking pen in designated area.
 - ii. Manually count each valid vote and record the results.
 - iii. Load the **Compact USB Card** into the **Tabulator**.
 - iv. Power up the **Tabulator** and print a configuration tape and a **Zero Tape**.
 - v. Open the Poll.
 - vi. Tabulate the pre-audited ballot test deck using the **Tabulator** by feeding each ballot into the **Tabulator**.
 - vii. Close the Poll.
 - viii. Print the results from the **Tabulator**.
 - ix. Compare the output of the vote count **Tabulator** with the pre-audited results.
 - x. The **City Clerk** or designate shall, at the completion of the L&A Test, clear the vote totals from the tabulator and seal the **Compact USB Card** inside the **Tabulator**.
 - xi. The **City Clerk** shall not alter or make changes to the L&A materials once testing is completed.

COMPLETION OF TESTING

- j. At the completion of the testing, the **City Clerk** or designate shall:
 - i. Securely store the **Tabulators** containing the **Compact USB Card** until they are deployed to a **Voting Poll** for use during the advance vote and on **Voting Day**.

ADVANCE VOTE DAY

- 17)At the opening day of advance voting, fifteen (15) minutes prior to the scheduled opening of the **Voting Poll** the **Election Official** shall open the poll in the following manner:
- a. Check the **Tabulator** identification located on the **Tabulator** to verify it has been assigned to the correct **Voting Poll**.

- b. In the presence of at least one other **Election Official** and Scrutineers if present, verify that there are no ballots or other materials present in the **Tabulator Ballot Box**.
- c. Position the **Tabulator** on top of the **Tabulator Ballot Box** and follow the instructions provided for powering on the **Tabulator**.
- d. Verify that the Election race, location, date, and time is correct.
- e. The **Tabulator** configuration report will run and be cancelled by the **Election Official**, as this report is not required as the configuration report tapes are filed with the L & A testing results.
- f. Select OPEN POLL and two **Zero Tapes** will print. The first tape will be removed and placed in a location visible to all in the **Voting Poll**. The second **Zero Tape** printed will be signed by the **SDRO, TO** and any scrutineers, then left attached to the **Tabulator** for the remainder of the voting period until May 29th and the polls are closed at 8:00 pm.

18) If the totals are not zero for all **Candidates**, the **Election Official** shall immediately notify the **City Clerk** or designate, who will help to zero out the tabulator over the phone, which will produce a **Zero Tape**. The **Election Official** shall zero out the tabulator in full view of the **Scrutineers**, if present. If this is not successful, the **City Clerk** or designate shall direct the **Election Official** to begin using the **Auxiliary Compartment** until a replacement **Tabulator** is delivered to the voting location.

19) When the **SDRO** announces the poll is ready to be opened, the **Election Official** will select GO TO VOTING MODE button, and then the voting can commence.

20) Commence the voting process as outlined in voting procedures.

ADVANCE POLL CLOSING

- 21) Once the advanced voting poll closes, the **Tabulator** will be powered off in this manner:
- a. The ballot counts (not results) will be recorded on Form COB05A and taped to the top of the **Tabulator**.
 - b. The **Tabulator** will be powered down, closed, and locked.
 - c. The **Tabulator** will be removed from the **Tabulator Ballot Box** and placed back in the **Tabulator** carrying bag, with the form attached.
 - d. The **Ballot Bag** will be removed from the **Tabulator Ballot Box**, closed, labelled and security sealed.

22) The **Tabulator** and **Ballot Bag** will be transported back to City Hall and placed in the predefined secure area.

VOTING DAY OPENING

23)The **Tabulator Officer** shall check the **Tabulator bag** identification sticker located on the **Tabulator** to verify it has been assigned to the correct **Voting Poll**.

24)The **Tabulator Officer** shall open the poll in the following manner:

- a. Check the **Tabulator** identification located on the **Tabulator** to verify it has been assigned to the correct **Voting Poll**.
- b. In the presence of at least one other **Election Official** and any Scrutineers present, verify that there are no ballots or other materials present in the **Tabulator Ballot Box**.
- c. Position the **Tabulator** on top of the **Tabulator Ballot Box** and follow the instructions provided for powering on the **Tabulator**, place two election seals on the **Ballot Box**,
- d. Verify that the Election race, location, date, and time is correct.
- e. The **Tabulator** configuration report will run and be cancelled by the **Election Official**, as this report is not required as the configuration report tapes are filed with the L & A testing results.
- f. Select OPEN POLL, and two **Zero Tapes** will print. The first tape will be removed and placed in a location visible to all in the **Voting Poll**. The second Zero Tape printed will be signed by the SDRO, TO and any scrutineers, then left attached to the Tabulator until results tapes are printed after 8:00pm on voting day.

25)If the totals are not zero for all **Candidates**, the **Election Official** shall immediately notify the **City Clerk**, who will help to zero out the tabulator over the phone, which will produce a **Zero Tape**. The **Election Official** shall zero out the tabulator in full view of the **Scrutineers**, if present. If this is not successful, the **City Clerk** shall direct the **Election Official** to begin using the **Auxiliary Compartment** until a replacement **Tabulator** is delivered to the voting location.

26)When the **SDRO** announces the poll is ready to be opened the **Tabulator Officer** will select GO TO VOTING MODE button then the voting can commence.

27)Commence the voting process as outlined in voting procedures.

VOTING DAY CLOSING

28)After the close of voting on **Voting Day**, the **Election Official** shall:

- a. Check the **Auxiliary Compartment** for any ballots to ensure all ballots have been processed by the **Tabulator**.
- b. If there are any ballots stored in the **Auxiliary Compartment**, they shall be processed following the Voting Procedures section in this document. The closing procedures shall only be completed when there are no more ballots in the **Auxiliary Compartment** to be processed.

- c. Using the security key provided, open the locked access area and select CLOSE POLL on the **Tabulator**.
- d. Two copies of the **Results Tape** will automatically print from the **Tabulator** indicating the votes cast for each **Candidates**.
 - i) The first copy of the **Results Tape** that includes the **Zero Tape** printout will be signed by the **SDRO, Tabulator Official**, and any **Scrutineers** if present and used to report the results to Election Central Once reporting is completed, it will be placed in Envelope A.
 - ii) The second copy of the **Results Tape** is removed from the Tabulator and posted in the **Voting Poll**.
- e. The **Tabulator** will be powered down and removed from the **Tabulator Ballot Box** and placed back in the **Tabulator** carrying bag.
- f. The **Ballot Bag** will be removed, closed, labelled and security sealed.
- g. The **Tabulator** and **Ballot Bag** will be transported back to City Hall and handed off to an **Election Official** for the **Compact USB Card** to be removed from the **Tabulator** and the **ballot bag** to be placed in the predefined secure area.

RESULTS FROM VOTING DAY

- 29) The **SDRO** will take the **Results Tape**, and place a call to **Election Central** 905-335-7777 ext. 8683 to report the tabulated results.
 - a. The **SDRO** will clearly state the **Candidate Name**.
 - b. Then the total number of votes cast for the **Candidate**
 - c. The **Election Official** at **Election Central** will repeat the totals recorded for each **Candidate** back to the **SDRO** for confirmation.
 - d. Place the Results tape in **Envelope A**
- 30) The **Election Official** at **Election Central** will then pass the form with the recorded totals to the **Tabulator** Support staff to manually enter the results into the tabulation software and export files.

31) The files will then be loaded to the election results page as unofficial results.

VOTING PROCEDURES

- 32) The **City Clerk** shall delegate to a **DRO** the authority to initial the ballot, demonstrate how to mark the ballot, and issue the ballot to an **Eligible Voter** in a **Secrecy Folder**.
- 33) Upon receiving the ballot, the **Eligible Voter** shall:
 - a. Proceed to the **Voting Screen**; and,
 - b. Vote by placing a mark in the desired Designated Voting Space using the ballot marking pen provided,
 - c. where an **Eligible Voter** marks a ballot with any other pen or pencil it is a validly marked ballot provided that the **Tabulator** is able to read the ballot.

- 34) After marking the ballot, the **Eligible Voter** shall:
- a. Insert the ballot into the **Secrecy Folder** to conceal the votes and to expose the initials of the **DRO**,
 - b. Leave the **Voting Screen** without delay.
 - c. Deliver the **Secrecy Folder** containing the ballot to the **Election Official** at the **Tabulator**; and
 - d. Remain with the **Election Official** until they insert the ballot into the **Tabulator**, and the ballot has been accepted. A “Thank you for Voting” message will appear on the screen.
- 35) The **Tabulator Officer** shall, in the presence of the **Eligible Voter**, and without removing the ballot from the **Secrecy Folder**, verify the initials of the **DRO** and insert the **Secrecy Folder** containing the ballot, with the initials of the **DRO** face down, into the feed area of the **Tabulator** and slide the ballot from the **Secrecy Folder** until the ballot is drawn into the **Tabulator**. The **Tabulator** is able to read the ballot in any inserted direction, face up, face down, from the front or the back.

POTENTIAL BALLOT REJECTIONS

- 36) **Blank ballot:**
- a. If a **Blank ballot** is returned by the **Tabulator** and the **Eligible Voter** who delivered the ballot is still present, the **Tabulator Officer** shall:
 - i. Advise the **Eligible Voter** that the **Tabulator** does not detect any votes in any of the designated voting spaces; and
 - ii. Instruct the **Eligible Voter** to return behind the voting screen and mark the ballot in accordance with the instructions on the ballot.
 - b. If the **Eligible Voter** is not present or declines the opportunity to re-mark the ballot, the designated **Tabulator Officer** shall, using the **Tabulator** select the “CAST” button and force the **Tabulator** to accept the ballot.
- 37) **Over-Voted ballot:**
- a. If an Over-Voted ballot is returned by the **Tabulator** and the **Eligible Voter** who delivered the ballot is still present, the **Tabulator Officer** shall:
 - i. Advise the **Eligible Voter** that the **Tabulator** detects more votes for the Office than the **Eligible Voter** is entitled to vote for.
 - ii. Ask the **Eligible Voter** if he or she wishes to receive another ballot and if so, select the RETURN button on the **Tabulator**, fold the ballot and mark the reverse side of the ballot “cancelled” and have the **Eligible Voter** return the ballot to the **DRO** who initially issued the ballot.
 - iii. The **DRO** who initially issued the ballot shall write on the ballot “new ballot issued” and place the ballot in the Envelope A; and,
 - iv. The **DRO** shall issue a replacement ballot to the **Eligible Voter** and instruct the **Eligible Voter** to mark the ballot in accordance with the instructions on the ballot.

- b. If the **Eligible Voter** is not present or declines the opportunity to mark another ballot, the **Tabulator Officer** shall, using the **Tabulator** select the CAST button and cause the **Tabulator** to accept the ballot. No overvoted contests will be counted in the vote totals.

38) Misread ballot:

- a. If a ballot is returned by the **Tabulator** because it is damaged or defective or is otherwise unreadable by the **Tabulator** and the **Eligible Voter** who delivered the ballot is still present, the **Tabulator Officer** shall re-insert the ballot into the feed area of the **Tabulator**. If rejected again the **Tabulator Official** shall:
 - i) Advise the **Eligible Voter** that the ballot cannot be processed by the **Tabulator**.
 - ii) Ask the **Eligible Voter** if they wish to receive another ballot, if they say yes, fold the ballot in half and mark the reverse side of the ballot "Cancelled" and have the **Eligible Voter** return the ballot to the **DRO** who initially issued the ballot.
- i. The **DRO** who initially issued the ballot shall write on the ballot "New Ballot Issued: place the ballot in the Envelope A; and
- ii. The **Election Official** shall issue a replacement ballot to the **Eligible Voter** and instruct the **Eligible Voter** to mark the ballot in accordance with the instructions on the ballot.
- b. If the **Eligible Voter** declines the opportunity to mark another ballot, the **Election Official** shall fold the ballot and mark the reverse side of the ballot "declined", return the ballot to the **DRO** who initially issued the ballot to the **Eligible Voter** so that it can be placed in Envelope A.
- c. If a **Misread ballot** is returned by the **Tabulator** and the **Eligible Voter** who delivered the ballot is not present, the **Tabulator Officer** shall mark the ballot "cancelled" and place the ballot in Envelope A.

39) Ambiguously Marked Ballot

- a. If a ballot with an ambiguous mark is returned by the **Tabulator** and the **Eligible Voter** who delivered the ballot is still present, the **Tabulator Officer** shall:
 - i. Advise the **Eligible Voter** that in at least one of the areas on the ballot, the mark which has been made is not sufficiently dark or complete to allow the **Tabulator** to determine with certainty the **Eligible Voter's** intention.
 - ii. Return the ballot to the **Eligible Voter** and Instruct the **Eligible Voter** to mark the ballot in accordance with the instructions on the ballot or offer to replace the ballot with a new ballot.
- b. If the **Eligible Voter** requests a new ballot the **Tabulator Officer** shall:
 - i. Fold the ballot and mark the reverse side of the ballot "Cancelled" and have the **Eligible Voter** return the ballot to the **DRO** who initially issued the ballot
 - ii. The **DRO** who initially issued the ballot shall mark on the ballot "New Ballot Issued" and place the ballot in Envelope A; and

- iii. The **Election Official** shall issue a replacement ballot to the **Eligible Voter** and instruct the **Eligible Voter** to mark the ballot in accordance with the instructions on the ballot.
- c. If the **Eligible Voter** declines the opportunity to mark another ballot, the **Tabulator Officer** shall fold the ballot and mark the reverse side of the ballot “declined”, return the ballot to the **DRO** who initially issued the ballot to the **Eligible Voter** so that it can be placed in Envelope A.

40) Ballot Missing Initial of **DRO**

- a. If a ballot is returned by the **Tabulator** because the **Tabulator** has detected that the ballot is missing the initials of the **DRO** and the **Eligible Voter** who delivered the ballot is still present, the **Tabulator Officer** shall:
 - i. Advise the **Eligible Voter** that the initials of the **DRO** are missing and that the ballot cannot be processed without the initials of the **DRO**.
 - ii. Direct the **Eligible Voter** to the **DRO** who issued the ballot to obtain the required initials; and
 - iii. Process the corrected ballot once it is returned by the **Eligible Voter** with the required **DRO's** initials.
- j) If the **Eligible Voter** who delivered the ballot is not present, and the ballot is missing the **DRO** initials, the ballot shall be marked as a “Cancelled “and a reason for the cancellation will be noted on the ballot, it will then be placed in Envelope A.

TABULATOR FAILURE

41) If the **Tabulator** fails to operate properly, the **Tabulator Officer** shall:

- a. Immediately call the **Elections Office**; and
- b. Upon instruction from the **Elections Office**, use the **Auxiliary Compartment** in the ballot box until the **Tabulator** becomes operational.

42) The **City Clerk** or designate is responsible for replacing defective **Tabulators**. The replacement of the defective **Tabulator** shall be undertaken in the **Voting Poll** in full view of any scrutineers, **Eligible Voters** and any other election staff assigned to the **Voting Poll**. The procedure for replacing a **Tabulator** shall be as follows:

- a. The **City Clerk** or designate shall turn off the defective **Tabulator**.
- b. Break the security seal.
- c. Remove the **Compact USB card** from the defective **Tabulator**.
- d. Remove roll of tape from defective **Tabulator** to be inserted into replacement.
- e. Remove the defective **Tabulator** from the **Tabulator ballot box** and replace with a new **Tabulator**.
- f. Install **Compact USB card** from defective unit into new **Tabulator**, insert the roll of tape from the defective unit and affix the security seal.
- g. Switch power on to the new **Tabulator**.
- h. Complete the steps for Voting Day to open the **Tabulator** and continue the voting process.

RESULTS FROM ADVANCE POLLS

- 43) After the close of the advance voting polls, **City Clerk** or an **Election Official** will store the **Tabulators** in a predefined secure area. After the close of polls on final **Voting Day**, the **City Clerk** will open the **Tabulators** to close out the advance polls and pull the **Compact USB cards** from the **Tabulators**.
- 44) The results from the advance polls shall be uploaded from their **Compact USB cards** to the election server by the **City Clerk** or designate, in the **Election Office** after 8:00 p.m. on **Voting Day**, Monday, May 29, 2023.

RESULTS FROM SPECIAL POLLS

- 45) The **City Clerk** or designate shall process the ballots cast at special poll locations in a designated **Tabulator** at the **Elections Office**. These ballots shall be sealed in **Ballot Bags** immediately after counting.
- 46) The **City Clerk** will provide notice to all **Candidates** of the time and place where ballots cast at a special poll location will be tabulated. **Candidates** or one **scrutineer** for each **candidate** may be present during the tabulation of the unofficial results. The results of any ballot cast at a special poll location will be tabulated in accordance with the 2023 Special Voting Place Processes.

RETENTION OF ELECTION RECORDS

- 47) The **City Clerk** shall
- a. At the completion of the count, retain the programs, **Compact USB cards**, test materials and used ballots in the same manner as is provided in the **Act** for the keeping of ballots.
 - b. Retain and have access to the pre-audited group of ballots and other materials used in the programming of the vote **Tabulators**; and
 - c. Not alter or make changes to the voting materials after the close of the voting.

CANDIDATES AND SCRUTINEERS

- 48) To protect the secrecy of the vote, **Candidates** or **Scrutineers** will not be able to examine ballots or to object to ballots as ballots are being fed into the **Tabulator** by the **Eligible Voter** or **Tabulator Officer**.



DS200®



Enhanced Voting Experience

The DS200 is a precinct-based scanner and vote tabulator equipped with the latest in ES&S' patented technology. Fully certified and compliant with EAC guidelines, the DS200 enhances the voting experience for voters and election officials alike. Our patented Intelligent Mark Recognition (IMR®) and patented Positive Target

Recognition & Alignment Compensation (PTRAC®) technologies ensure even the most poorly marked ballots are read accurately and consistently — protecting voter intent. All of this is designed to make everyone's job easier.