



# Voting Procedures for the Optical Scan Vote Tabulator

(IN ACCORDANCE WITH SECTION 42(3) OF THE MUNICIPAL  
ELECTIONS ACT 1996) 2022 BURLINGTON MUNICIPAL  
ELECTION

ISSUED BY THE ELECTIONS OFFICE



CITY OF BURLINGTON | 426 Brant Street Burlington, ON L7R 3Z6

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## 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 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 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 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.

**“Ambiguously Marked ballot”** means a mark on a ballot made in the designated space on the ballot to the right of the **Candidate's** name, by-law or question, that is recognized by the **Tabulator** but cannot be read as a Valid Mark.

**“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 secure area for ballots that are not fed through 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 **Returning Officer** 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**.

**“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**.

**“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. **Decline ballots** are counted.

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

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

- a) a resident of Burlington or the owner or tenant of land in Burlington, or the spouse of such owner or tenant; and,
- b) is a Canadian citizen; and,
- c) is at least 18 years old; and,
- d) 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., Mayor, Ward Councillor, and School Board Trustee).

**“Results Tape”** means the printed record that is generated from the memory 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 each race.

**“Scrutineer”** means a **Candidate**, or any person appointed by a Candidate in accordance with any rules and procedures established by the **Returning Officer**, observing any part of the 2022 Municipal Election, 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**.

**“Special Circumstances Envelope”** means an envelope for any returned ballot that cannot be put through the **Tabulator**, but may be counted at a later time, for example a ballot is rejected for a missing **DRO** signature, and the **Eligible Voter** is not present.

**“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 2022 Election (October 24, 2022).

**“Voting Period”** means the continuous period beginning at 10:00 a.m. on Monday, October 11, 2022, 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.
- 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 HARDWARE AND SOFTWARE

- 9) The table in 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 or more **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:
  - a) Ballots which the **Tabulators** cannot read (i.e., ballot damaged or defective or that have been marked in a way that the ballot cannot be processed by a **Tabulator**) are rejected by the **Tabulator** and returned to the **Election Official**.
  - b) Ballots which are marked with **over-votes**, will be returned to the **Election Official** giving the option to ACCEPT or REJECT the ballot. IF REJECT is chosen the ballot will be returned to the **Eligible Voter** to verify, repair their vote, spoil their ballot, or for re-insertion and acceptance. IF ACCEPT is chosen the ballot races not **over-voted** or considered blank will be accepted and counted.

- c) Ballots with no **DRO** initials will be returned by the **Tabulator** to the **Election Official** to verify the validity of the ballot. The **Election Official** will direct the **Eligible Voter** back to the **DRO** who issued the ballot to verify the ballot and initial it. The elector will then be able to cast the ballot.

## TABULATOR TESTING - LOGIC & ACCURACY

- 16) Prior to the **Voting Period**, the **Returning Officer** or designate shall conduct logic and accuracy testing (“L&A Testing”) of all **Tabulators** to be used in the election, including replacement **Tabulators**, to ensure that they will accurately count the votes cast for all **Candidates** and operate as programmed. The **Returning Officer** shall give notice of the date, time and location of L&A Testing to **Candidates and Scrutineers**.

### TESTING THE VOTE COUNT TABULATORS (DIAGNOSTIC 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) This will test every **Compact USB Card** memory device 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 ballot, and **Ambiguously Marked**.

### DEFECTIVE MACHINE

- e) If the **Returning Officer** 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 **Returning Officer**.

## 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 **Returning Officer** 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 **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 **Returning Officer** 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 **Returning Officer** 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**.

## ADVANCED VOTING DAY 1

- 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**, 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 date and time is correct.
  - e) A configuration report will run, then under reports run two **Zero Tape** reports.
  - f) Display the first **Zero Tape** produced during these procedures in a location visible to all in the **Voting Poll**. It will be re-posted again on advance voting day 2. The second **Zero Tape** produced will be left attached to the tabulator for the remainder of the advanced voting period.
- 18) Select OPEN POLL and then select CONFIRM to resume voting and add results on the **Tabulator**.
- 19) Commence the voting process as outlined in voting procedures.
- 20) Once the poll closes for day one of advanced voting, the **Tabulator** will be powered off and closed, a security seal will be taped across the **Tabulator** and signed by two **Election Officials**.
- 21) The **Tabulator Ballot Box** will be sealed with security tape with two **Election Official** signatures and then will be transported back to the predefined secure area.

## ADVANCED VOTING DAY 2

- 22) On day 2 of advanced voting, the **Election Official** shall pick up their assigned **Tabulator** from the election secure area. **Election Official** will confirm that this is

the correct **Tabulator** by confirming the **Voting Poll** location on the status tape still attached to the **Tabulator**.

23)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**, verify that there are no ballots or other materials present in the **Tabulator Ballot Box**. A new **Tabulator Ballot Box** is provided to the **Election Official** for each day of advance voting.
- 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 date and time is correct.
- e) Verify that the number of ballots cast displayed on the **Tabulator** is the same number of ballots cast as reported by the **Election Official** from the previous day's voting.
- f) Select OPEN POLL and then select CONFIRM to resume voting and add results on the **Tabulator**.

24)The **Tabulator** will automatically print a Status Tape once the **Election Official** has selected CONFIRM to resume voting and add results on the **Tabulator**. This Status Tape is to remain affixed to the **Tabulator** and no additional copies are to be printed.

25)The **Election Official** shall initial the Status Tape at the opening of each day of the advance voting period.

26)All Status Tapes shall remain affixed to the **Tabulator** until the results report is generated at the close of voting, on **Voting Day**.

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

## ADVANCED VOTING DAY CLOSING TABULATOR PROCEDURES

28)After the close of voting on advance voting day 2, 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 steps (voting procedures subsections 40 to 43) of these procedures. The closing procedures shall only be completed when there are no more ballots in the **Auxiliary Compartment** to be processed.
- c) The **Special Circumstances Envelope**, if any, will be taped closed with security tape and transported to the **Election Office** for calculation.
- d) Using the security key provided, select POWER on the **Tabulator**.
- e) Remove the **Tabulator** from the **Tabulator** ballot Box and place the **Tabulator** in the carrying case or box provided.

29) Seal the **Tabulator Ballot Box** with tape and two **Election Officials** shall sign and date the seal including **Voting Poll** number, and **Tabulator** Identification. The **Designated Election Official** shall personally deliver the **Tabulator**, the envelope containing the Results Tape, the sealed **Tabulator ballot boxes** and sealed **Special Circumstances Envelope** immediately to the location and person designated by the **Returning Officer**.

## VOTING DAY TABULATOR OPENING PROCEDURES

30) The **Election Official** shall check the **Tabulator** identification located on the **Tabulator** to verify it has been assigned to the correct **Voting Poll**.

31) The **Election Official** shall, in the presence of at least one other **Election Official**, verify that there are no ballots or other materials present in the **Tabulator Ballot Box**.

32) 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**, verify that there are no ballots or other materials present in the **Tabulator Ballot Box**.
- c) Remove any seals from the **Tabulator** to allow the processing of ballots.
- d) Position the **Tabulator** on top of the **Tabulator ballot Box** and follow the instructions provided for powering on the **Tabulator**.
- e) Verify that the date and time is correct.
- f) A configuration report will run, then under reports run two **Zero Tape** reports.
- g) The first **Zero Tape** produced during these procedures is displayed in a location visible to all in the **Voting Poll**, there will be a second **Zero Tape** produced and will be left attached to the tabulator.
- h) Selects OPEN POLL at the poll opening time of 10:00 am

33) If the totals are not zero for all **Candidates**, the **Election Official** shall immediately notify the **Returning Officer**, 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 the presence of the Scrutineers. If this is not successful the Returning officer shall direct Eligible Voters to another Tabulator at the same Voting Poll or instruct to begin using the Auxiliary Compartment. At the call of the Returning Officer, the voting location may be provided with another tabulator.

## VOTING DAY CLOSING TABULATOR PROCEDURES

34) 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 steps (“Voting Procedures”) of these procedures. The closing procedures shall only be completed when there are no more ballots in the **Auxiliary Compartment** to be processed.
- c) The **Special Circumstances Envelope**, if any, will be taped closed with security tape and transported to the **Election Office** for calculation.
- d) Using the security key provided, select CLOSE POLL on the **Tabulator**.
- e) Print two copies of the **Results Tape** from the **Tabulator** indicating the votes cast for each **Candidate** and:
  - i. Place the first copy of the **Results Tape** that includes the **Zero Tape** printout in the designated envelope.
  - ii. Post the second copy of the **Results Tape** in the **Voting Poll**.
- f) A security seal will be taped across the **Tabulator** and signed by two **Election Officials**.
- g) Remove the **Tabulator** from the **Tabulator** ballot **Box** and place the **Tabulator** in the carrying case or box provided.

35) Seal the **Tabulator** ballot box with tape and two **Election Officials** shall sign and date the seal including **Voting Poll** number, and **Tabulator** Identification. The Designated **Election Official** shall personally deliver the **Tabulator**, the envelope containing the **Results Tape**, the sealed **Tabulator** ballot boxes and sealed **Special Circumstances Envelope** immediately to the location and person designated by the **Returning Officer**.

## VOTING PROCEDURES

36) **Returning Officer** shall delegate to an **Election Official** the authority to place the appropriate Voting Subdivision number on the ballot, initial the ballot, demonstrate how to mark the ballot, issue the ballot to an **Eligible Voter** in a **Secrecy Folder** and provide them with a ballot marking pen.

37) 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
  - i) 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.

38) After marking the ballot, the **Eligible Voter** shall:

- 1) Insert the ballot into the **Secrecy Folder** to conceal the votes and to expose the initials of the **DRO**.
- c) Leave the **Voting Screen** without delay.
- d) Deliver the **Secrecy Folder** containing the ballot to the **Election Official** at the designated **Tabulator**; and
- e) 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.

39) The **Election Official** 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**.

#### POTENTIAL BALLOT REJECTIONS FROM TABULATOR

#### 40) Blank ballot:

- a) If a **Blank ballot** is returned by the **Tabulator** and the **Eligible Voter** who delivered the ballot is still present, the **Election Official** 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 **Election Official** shall, using the **Tabulator** select the "ACCEPT" button and cause the **Tabulator** to accept the ballot.

#### 41) 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 **Election Official** 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 **Election Official** who initially issued the ballot.
  - iii) The **Election Official** who initially issued the ballot shall place the ballot in the cancelled ballot envelope; and,

- iv) 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** is not present or declines the opportunity to mark another ballot, the **Election Official** shall, using the **Tabulator** select the ACCEPT button and cause the **Tabulator** to accept the ballot. No overvoted contests will be counted in the vote totals.

#### 42) 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 Designated **Election Official** shall re-insert the ballot into the feed area of the Vote **Tabulator**. If rejected again the **Election Official** shall:
  - i) Advise the **Eligible Voter** that the ballot cannot be processed by the Vote **Tabulator**.
  - ii) Ask the **Eligible Voter** if they wish to receive another ballot and fold the ballot and mark the reverse side of the ballot “cancelled” and have the **Eligible Voter** return the ballot to the **Election Official** who initially issued the ballot.
  - iii) The **Election Official** who initially issued the ballot shall place the ballot in the Cancelled ballot envelope; and
  - iv) 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 **Election Official** who initially issued the ballot to the **Eligible Voter** so that it can be placed in the declined ballot envelope.
- c) If a **Misread ballot** is returned by the **Tabulator** and the **Eligible Voter** who delivered the ballot is not present, the **Election Official** shall place the ballot in the **Special Circumstances Envelope**.

#### 43) 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 **Election Official** 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 **Election Official** shall:
- i) Fold the ballot and mark the reverse side of the ballot “cancelled” and have the **Eligible Voter** return the ballot to the **Election Official** who initially issued the ballot.
  - ii) The **Election Official** who initially issued the ballot shall place the ballot in the cancelled ballot envelope; 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 **Election Official** shall fold the ballot and mark the reverse side of the ballot “declined”, return the ballot to the **Election Official** who initially issued the ballot to the **Eligible Voter** so that it can be placed in the **Declined ballot** envelope.

#### 44) Ballot Missing Initial of **Election Official**

- a) If a ballot is returned by the **Tabulator** because the **Tabulator** has detected that the ballot is missing the initials of the **Election Official** and the **Eligible Voter** who delivered the ballot is still present, the **Election Official** shall:
- i) Advise the **Eligible Voter** that the initials of the **Election Official** are missing and that the ballot cannot be processed without the initials of the **Election Official**.
  - ii) Direct the **Eligible Voter** to the **Election Official** 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 **Election Official’s** initials.
- b) If the **Eligible Voter** who delivered the ballot is not present, and the ballot is missing the **Election Official** initials, the ballot shall be placed in the **Special Circumstances Envelope**.

### TABULATOR FAILURE

#### 45) If the **Tabulator** fails to operate properly, the **Election Official** 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.
- 46) The **City Clerk** or designate is responsible for replacing defective vote **Tabulators**. The replacement of the defective vote **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 vote **Tabulator** shall be as follows:
- a) The **City Clerk** or designate shall turn off the defective vote **Tabulator**.
  - b) Break the security seal.
  - c) Remove the **Compact USB cards** from the defective vote **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 cards** from defective unit into new vote **Tabulator** and affix the security seal.
  - g) Switch power on to the new vote **Tabulator**.

## RESULTS FROM THE ADVANCE POLLS

- 47) After the close of the polls on the second advance voting day, **City Clerk** or the **Election Official** shall seal each **Compact USB card** in an envelope, which will be stored in a secure location. After the close of polls on final **Voting Day**, the **City Clerk** will insert the **Compact USB card** into a designated vote **Tabulators** to close out the advance polls and print the **Results Tapes**.
- 48) The accumulated 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, October 24, 2022.

## RESULTS FROM SPECIAL POLLS

- 49) 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 storage boxes immediately after counting.
- 50) The **Returning Officer** 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 procedures with necessary modifications. The **City Clerk** shall:
- a) At the completion of the count, retain the programs, **Compact USB cards**, test materials and used ballot in the same manner as is provided **Election Official** or in the *Municipal Elections Act* for the keeping of ballot.
  - b) Retain and have access to the pre-audited group of ballot 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

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



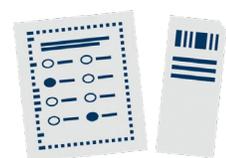
# DS200<sup>®</sup>

## Precinct Scanner & Tabulator



### 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<sup>®</sup>) and patented Positive Target Recognition & Alignment Compensation (PTRAC<sup>®</sup>) 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.



**11** 14-inch flat ballots processed per minute