

CITY OF CORNER BROOK MUNICIPAL ELECTION VOTE BY MAIL REGULATIONS

Pursuant to the powers vested in it under the *Municipal Elections Act, SNL 2001, c. M-20.2* as amended and all other enabling powers, the Corner Brook City Council hereby adopts and enacts the following MUNICIPAL ELECTION VOTE BY MAIL REGULATIONS:

TITLE

1. These Regulations may be cited as the *City of Corner Brook Municipal Elections Vote by Mail Regulations*.
2. All words where not otherwise defined by their context herein have the meaning as set out in the Municipal Elections Act.

RULES

3. The Returning Officer shall design and implement an information program within a four to six month timeframe prior to Election Day.
4. The Returning Officer shall:
 - a. Appoint in writing such election officials as may be required to conduct the municipal election, as per section 12(a) of the Municipal Elections Act, Stats. NF 2001, c. M-20.2,;
 - b. Establish and maintain a secure vault into which the Return Envelopes and the Ballot Envelopes shall be place until the time specified for the counting of ballots;
 - c. Establish and maintain until 8:00 p.m. on Election Day a minimum of one site for the deposit of Return Envelopes and Ballot Envelopes;
 - d. Establish and maintain an Elections Office for corrections and additions to or deletions from the Voter's List;
5. The Returning Officer shall provide, in addition to the site required in section [4\(c\)](#) additional polling stations for the deposit of Return Envelopes and Ballot Envelopes. Such additional sites shall be accessible only between 8:00 a.m. and 8:00 p.m. on Election Day and shall be supervised by elections officials as determined by the Returning Officer
6. Notwithstanding the foregoing, the Returning Officer, may, with prior Ministerial approval, vary the procedures from time to time as they deem appropriate to ensure the efficiency and integrity of the municipal election.

7. Persons appointed by the Returning Officer as election officials shall carry out their duties as specified in the Municipal Elections Act and outlined in this regulation
8. A Voter's Kit shall be mailed to each eligible voter who registers to receive one after the close of the nomination period and shall contain the following:
 - a. Voting Instruction Sheet;
 - b. Voter Declaration Form;
 - c. Ballot;
 - d. Return Envelope;
 - e. Ballot Envelope; and
 - f. Such further enclosures as the Returning Officer may deem necessary or appropriate.
9. Each voter has the responsibility of completing their mail in ballot in accordance with all applicable legislation and returning it to the Returning Officer [as stipulated in Section 18\(e\)](#) of this regulation. **Hand Delivery of Vote by Mail ballots will not be accepted at City Hall on Election Day.**
10. The City of Corner Brook shall enter into any/all contracts necessary to conduct the election in accordance with this regulation, including but not limited to, the Canada Post Corporation.
11. Any person who contravenes this Regulation shall be guilty of an offence and liable upon conviction to a penalty as per section 99 and 100 of the *Municipal Elections Act*, SNL2001, c. M-20.2

APPLICATION PROCESS

12. A voter who desires to vote by mail shall apply to the Returning Officer during City Hall Business Hours.
13. Eligible voters not included on the Voters List can be sworn in and receive their Voter Kit at Corner Brook City Hall or other designated facility, 9 am – 4 pm, Monday to Friday, up to the day immediately preceding election day upon completing the “oath or affirmation of voter” form and providing the necessary identification. On election day eligible voters not on the voters list will have to be sworn in at their designated polling station. In the event a voter is sworn in at a polling station, the completed application forms will be held by the Returning Officer or Deputy Returning Officer or a designated election official.
14. Upon receiving the voter's application, for a mail in ballot the returning officer shall note the date of approval and mail a kit to the voter.

PROVIDING BALLOTS TO VOTERS

15. The returning officer may authorize the use of blank ballots if, in his/her opinion, the expected delivery date of printed ballots will adversely affect the ability of voters to vote by mail.
16. The blank ballot form pursuant to Section 14 of this bylaw is set out in Schedule "A" appended hereto and forming a part of this bylaw.
17. A ballot kit shall consist of:
 - a. The ballots to which the voter is entitled
 - b. A ballot envelope,
 - c. A return envelope, bearing the words "IMPORTANT: Election Ballot enclosed" on the face and back of the envelope
 - d. Voting Instructions Form and Voting Declaration Form
 - e. A list of candidates who are seeking election if a blank ballot is used.
 - f. Any further enclosures the Returning Officer may deem necessary or appropriate

RECEIVING BALLOTS FROM VOTERS

18. Voters are required to:
 - a. insert marked ballots into the ballot envelope;
 - b. seal the ballot envelope and insert it into the Return Envelope
 - c. sign the voter declaration form; detach it from the Voting Instruction Form and then insert it in the front of the Return Envelope so that the address of the Returning Officer is visible in the Return Envelope window.
 - d. seal the return envelope; and
 - e. ensure delivery of the return envelope to the returning officer in its original form with all required contents, as stipulated above, by election day via one of the following methods
 - regular mail, registered mail, courier;
 - via Drop Box located outside City Hall 24 hours a day during the election period;
 - in person up to one day prior to Election Day; or
 - at a polling station on Election Day.

Hand delivery of ballot kits to the Returning Officer will not be accepted on Election Day.

19. The returning officer shall ensure there is a ballot box which shall contain only mail-in ballots from the time ballots are received until the close of polls on Election Day.

20. Upon receipt of a Return Envelope containing voter's ballot on or before the close of poll on Election Day, the returning officer shall:
 - a. ensure the voter declaration form is signed by the voter;
 - b. record the date on which the envelope was received; and
 - c. deposit the ballot envelope in a ballot box.
21. Ballots received after the close of polls on Election Day:
 - a. are deemed to be spoiled;
 - b. will remain unopened in the ballot envelope; and
 - c. are retained in the manner prescribed in sections 57 of [the Act](#).
22. The returning officer shall designate at least one deputy returning officer who will receive mail-in ballots prior to the close of polls on Election Day.
23. [Prior to the close of polls on Election Day, the following materials shall be delivered to the returning officer or deputy returning officer designated pursuant to Section 22 of this bylaw or the returning officer:](#)
 - a. the ballot box containing all ballots received by mail;
 - b. the application kits from all voters who applied for a mail-in ballot; and
 - c. any vote by mail ballots received after the above materials have been delivered to the returning officer or deputy returning officer.

OBJECTION BY CANDIDATES

24. On Election Day, any candidate or candidate's agent may examine the application package filed by a person who applied for a mail-in ballot. Authorized agents are subject to the following rules:
 - a. agents will conduct themselves in a professional manner.
 - b. agents will remain silent and not interfere with the activities of election workers.
 - c. agents will address all questions to the Returning Officer or Deputy Returning Officer and will comply with their directions.
 - d. agents will be provided with an access pass and must wear it all times while in the polling station or in the counting area.
 - e. agents may not handle any ballots or election materials.
 - f. agents must acknowledge, in writing, their agreement to observe the above noted rules.
 - g. Failure to observe the above stated rules shall result in the agent being removed from the polling station and/or counting area.
25. A candidate or candidate's agent retains the right to object to a person's entitlement to vote if that person votes by mail.

26. On the objection of a candidate or an agent to the entitlement of a person voting by mail, the returning officer shall make necessary entries in the poll book consistent with section [41.1](#) of the Act.

COUNTING BALLOTS

27. The areas designated as counting areas on Election Day shall be closed to all personnel other than those necessary for the conduct of the count of ballots. Security personnel shall be posted at each counting area to ensure restricted entry and secrecy of the results is maintained until 8 pm on Election Day. Election staff will be sequestered in the counting areas on Election Day from the commencement of the count until all ballots have been counted.
28. The returning officer or deputy returning officer shall open the mail-in ballot box in the presence of persons authorized to be in the polling place pursuant to Section 36 of the [Act](#).
29. The returning officer or deputy returning officer shall examine each voter declaration form in the ballot box and shall allow each other person in attendance at the polling place to view the voter's certification on the voter declaration form.
- a. The returning officer or deputy returning officer shall reject a ballot envelope if the signature of the voter is missing on the voter declaration form
 - b. If the voter declaration form is accepted, the deputy returning officer shall extract the ballot envelope and examine it for any tears or unauthorized markings.
 - c. If the ballot envelope:
 - i. contains any tears or unauthorized markings, the deputy returning officer has the discretion to reject the ballot security envelope; or
 - ii. is accepted by the deputy returning officer, he or she shall deposit the ballot envelope into a container or another ballot box.
 - d. after all ballot envelopes have been dealt with pursuant to clause (c), the returning officer or deputy returning officer shall then extract the ballots from the ballot security envelopes and proceed to count the ballots in accordance with **Sections 51** of the Act.
30. The returning officer or deputy returning officer shall deem **spoiled** those ballots which were sent to voters by the returning officer and subsequently were not returned to the returning officer prior to the close of polls on Election Day and shall, pursuant to Section 50(2) of the [Act](#), reference this fact in the report of the count of the votes. Additionally upon receipt of a ballot described in [Section 21](#) of this bylaw, the returning officer shall:
- a. write "deemed spoiled" on the return envelope;

- b. record the date said ballot came into his or her possession;
 - c. initial the entry; and
 - d. retain it with, but not in, the ballot box described in Section 57 of the Act, unless the said ballot can be deposited in the ballot box without unsealing the ballot box.
31. The mail-in ballots and any forms used in conjunction with voting by mail, including the voter declaration form opened by the deputy returning officer pursuant to Section 23 of this bylaw are placed in packets in the same manner as other ballots pursuant to Section 57 of the Act.

COMING INTO EFFECT

32. This Bylaw shall come into force and take effect on the date of final passing.

SCHEDULE A

BLANK BALLOT (TEMPLATE)

Face of Ballot, Office of Mayor

Special Ballot – for the Office of MAYOR City of Corner Brook	
CANDIDATE “A”	
CANDIDATE “B”	
CANDIDATE “C”	
 INSTRUCTIONS TO VOTE Vote by marking an ”X” in the square to the right Of the candidate of your choice Maximum – 1 (ONE) Candidate	

Face of Ballot, Office of Councillor

Special Ballot – for the Office of COUNCILLOR City of Corner Brook	
CANDIDATE “A”	
CANDIDATE “B”	
CANDIDATE “C”	
 INSTRUCTIONS TO VOTE Vote by marking an ”X” in the square to the right Of the candidate of your choice Maximum – 6 (SIX) Candidate(s)	

Back of Ballot

	Printers Name and Address
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