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. Sections 26, 27 and 34 of the Municipal Elections Act, SNL 2001, Chapter M-20.2 shall apply in these regulations.

4. The Returning Officer shall:

    a. Appoint in writing such election officials as may be required to conduct the municipal election, as per section 13 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 12:00 noon (local time) on the day immediately preceding election day a minimum of one site for the deposit of Return Envelopes and Ballot
    d. Establish and maintain an Elections Office for corrections and additions to or deletions from the Voter's List;

5. 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.

6. 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

7. 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.

8. 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 14(e) of this regulation. Hand Delivery of Return Envelopes and Ballot Envelopes will be received up to 12 noon (local time) on the day immediately before the day of the election.

9. 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.

10. 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

11. A voter who desires to vote by mail must register to receive a Vote by Mail Kit. by using the online registration system on the City of Corner Brook's website; or apply in person during City Hall Business Hours in accordance with the deadline established by the Returning Officer. To register, voters will complete a voter declaration form. Identification, that is satisfactory to the Returning Officer, must be supplied for each person registering in order to receive a vote by mail kit

12. Online registrants may also be required to attend in person at City Hall if their application, including all required supporting documentation, is incomplete, unclear, illegible, or otherwise unsatisfactory as determined by the Returning Officer.

PROVIDING BALLOTS TO VOTERS

13. 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. Any further enclosures the Returning Officer may deem necessary or appropriate

All Voter kits will be imprinted with "RETURN TO SENDER IF UNDERLIVERED TO ADDRESSEE". Upon receipts of these returned non-delivered kits, adjustments may be made to the Voters list to advise that the voter kit has been returned to the election office. All returned voter kits in this category will be held in a secure location.

RECEIVING BALLOTS FROM VOTERS

14. 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 a secure Drop Box located outside City Hall 24 hours a day during the election period **up to 12 noon (local time) on the day immediately before the day of the election**
       • in person up to **up to 12 noon (local time) on the day immediately before the day of the election**

15. 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.

16. 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.

17. Ballots received after the close of polls on Election Day notwithstanding Section 33(3) of the Municipal Elections Act, SNL 2001, Chapter M-20.2

    a. are deemed to be spoiled;

b. will remain unopened in the ballot envelope; and

c. are retained in the manner prescribed in the Act.

18. 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.

19. A final Canada Post pick up will take place at 8 pm on election day, under the direction and control of the Returning Office, and the return envelope obtained at that time shall be brought directly to designated site established for counting the ballots.

20. All return envelopes received by Canada Post, after the closing of polls, on Election Day shall be date and time stamped by Canada Post and returned to the City of Corner Brook where they will be retained in a secure location in accordance with the Act. Regardless of postmark, these ballots will be considered spoiled and will not be counted.

21. 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 18 of this bylaw or the returning officer:

    d. the ballot box containing all ballots received by mail;

    e. the application kits from all voters who applied for a mail-in ballot; and

    f. any vote by mail ballots received after the above materials have been delivered to the returning officer or deputy returning officer.

OBJECTIION BY CANDIDATES

22. 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 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.

23. A candidate or candidate's agent retains the right to object to a person's entitlement to vote if that person votes by mail.

24. 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

25. Counting/sorting of the ballots will take place after 8pm on Election Day. The secrecy envelope can only be opened after 8pm on Election Day in accordance with section 51 of the act. 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. Election staff will be sequestered in the counting areas on Election Day from the commencement of the count until all ballots have been counted

26. 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.

27. 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.

28. 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; regardless of postmark; 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 17 of this bylaw, the returning officer shall:

    g. write "deemed spoiled" on the return envelope;
    h. record the date said ballot came into his or her possession;
    i. initial the entry; and
    j. 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.

29. The mail-in ballots and any forms used in conjunction with vote by mail, including the voter declaration form opened by the deputy returning officer pursuant to Section 21 of this bylaw are placed in packets in the same manner as other ballots as prescribed in the Act.

30. With the exception of the ballot form, other forms used to administer a municipal election, as prescribed by the Minister of Municipal and Provincial Affairs, will be used.

PENALTIES

29. Any person who contravenes these Regulations shall be guilty of an offence and liable upon conviction to a penalty as provided in the Municipal Elections Act, SNL 2001 Chapter M-20.2.

COMING INTO EFFECT

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

IN WITNES WHEREOF this Regulation is sealed with the Common Seal of the Corner Brook City Council and subscribed by and on behalf of Council by <u>Jim Parsons</u>, Mayor and <u>Marina Redmond</u>, City Clerk, at the City of Corner Brook, this 26 day of July, 2021.
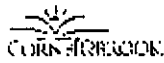
Mayor

City Clerk

Approved by Council: 26 July 2021

SCHEDULE A

VOTE BY MAIL BALLOT (TEMPLATE)

City of Corner Brook

September 28, 2021 Ballot

Complete this ballot by clearly marking an X in the box(es) beside the name(s) of the candidate(s) of your choice. Use a pen or marker with blue or black ink.

Ballot for Office of	Ballot for Office of
Mayor	**Councillor**
Vote for ONE (1) candidate	Vote for up to SIX (6) candidates

Mayor — Vote for ONE (1) candidate

- FIRST NAME **LAST NAME 1** ☐
- FIRST NAME **LAST NAME 2** ☐

Councillor — Vote for up to SIX (6) candidates

- FIRST NAME **LAST NAME 10** ☐
- FIRST NAME **LAST NAME 3** ☐
- FIRST NAME **LAST NAME 4** ☐
- FIRST NAME **LAST NAME 5** ☐
- FIRST NAME **LAST NAME 6** ☐
- FIRST NAME **LAST NAME 7** ☐
- FIRST NAME **LAST NAME 8** ☐
- FIRST NAME **LAST NAME 9** ☐
- FIRST NAME **LAST NAME 9** ☐