



2026 Municipal & School Board Elections

Tabulator Voting Procedures



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1. Background and Authority

- 1.1 Pursuant to Section 11 of the *Municipal Elections Act, 1996*, S.O., 1996, c.32, as amended (the “Act”), the Town Clerk (“Returning Officer”) is responsible for conducting elections in the Town of New Tecumseth.
- 1.2 Subsection 42(1)(a) of the Act provides that a municipal Council may enact a by-law authorizing the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scan vote Tabulators;
- 1.3 Subsection 42(1)(b) of the Act provides that a municipal Council may enact a by-law authorizing voters to use an alternative voting method that does not require voters to attend at a Voting Place to vote.

On January 29, 2024, the Council of the Corporation of the Town of New Tecumseth adopted By-law Number 2024-014 authorizing the use of online (internet) voting and optical scan vote Tabulators (advance vote days only) during the 2026 Municipal and School Board Election

- 1.4 Clause 42(3)(a)(i) of the Act requires the Returning Officer to establish procedures and forms for the use of any voting and Vote-Counting equipment such as Voting Machines, Voting Recorders or optical scan Vote Tabulators.

As Clerk and Returning Officer for the municipal elections of the Corporation of the Town of New Tecumseth, I do hereby certify and approve the following procedures for conducting the 2026 Municipal and School Board Election.

Pamela Fettes, Clerk/Returning Officer

May 29, 2026

2. Definitions

2.1 Definitions applicable to these Procedures are included in Appendix "A".

3. Application of Procedures

- 3.1 These Procedures shall apply to the 2026 Municipal and School Board Election.
- 3.2 The procedures only apply to the use of Vote Tabulators in the 2026 Municipal and School Board Election. The use of Internet Voting shall be subject to the Internet Voting Procedures.
- 3.3 In accordance with Section 12 of the Act, the Returning Officer may provide for any matter or procedure that is not otherwise provided for in the Act or regulation, and, in the Returning Officer's opinion, is necessary or desirable for conducting the election.
- 3.4 Where these Procedures do not specifically address a matter, the election to which these procedures apply shall be conducted in accordance with the principles of the Act.
- 3.5 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.
- 3.6 The Returning Officer may appoint Designated Election Officials for the purposes of implementing these Procedures and may designate their titles and duties. Such appointments shall normally be in writing, but may, be made by any other means deemed appropriate by the Returning Officer. Any oath required of any Designated Election Official may be administered in-person, electronically, or by any other means deemed appropriate by the Returning Officer.
- 3.7 These procedures are subject to change as a result of the Declaration of Emergency, and as prescribed in Section 53 of the Act.
- 3.8 These Procedures may be amended as deemed necessary by the Returning Officer. Copies of the revised Procedures shall be provided to all Candidates electronically via email and will be posted on the Town's Election Website.

4. Paper Ballots

- 4.1 The Ballot shall include the names of each Candidate listed in alphabetical order by surname or single name.
- 4.2 The ballot shall contain a Designated Voting Space beside each Candidate's name for marking the ballot.
- 4.3 There shall appear on the Ballot an area where the Designated Election Official shall enter his or her initials.
- 4.4 There shall appear on the ballot timing marks that will be read by the Vote Tabulator to verify that the document being processed is a valid ballot.
- 4.5 There shall appear instructions on the ballot that direct the Elector to vote by filling in the Designated Voting Space.
- 4.6 Each type of ballot to be used during the 2026 Municipal and School Board Election will be programmed into the Vote Tabulator.

5. Vote Tabulators - Deployment

- 5.1 The Clerk may employ one Vote Tabulator for more than one Voting Location.
- 5.2 A Vote Tabulator will be provided for in every Voting Location during the advance voting period.
- 5.3 Where a Vote Tabulator has not been provided, the ballots from that location shall, at the close of voting on that day, be tabulated using a spare Tabulator at the Voting Location.

6. Candidates and Scrutineers – Vote Tabulation

- 6.1 To protect the secrecy of the vote, Candidates and scrutineers at the Voting Location will not be permitted within the parameters of the Vote Tabulator as established by the Designated Election Official to:
- a) Monitor the process of casting votes through the use of Vote Tabulators;
 - b) Monitor, listen or participate in a conversation or communication between the Elector and the Designated Election Official responsible for the Vote Tabulator or to view or be apprised of any messages that appear on the LCD screen of the Vote Tabulator.
- 6.2 Despite the foregoing, Candidates and Scrutineers may from time-to-time request to be advised of the number of ballots processed by the Vote Tabulator.
- 6.3 A maximum of one Scrutineer for each Candidate (or the Candidate) will be allowed for each Ballot Box in the Voting Location pursuant to Section 47(1) of the Act.
- 6.4 No campaigning or any campaign material is permitted at any Voting Location. For the purpose of this paragraph, Voting Location includes the entire property on which the Voting Location is situated, including on or in any structure on the property, and the public land (such as parks, sidewalks, boulevards and highways) immediately adjacent to the property. Campaigning means any activity (other than Voting) by a Candidate (including any person under direction of a Candidate), or Third-party Advertiser.
- Campaign material includes but is not limited to:
- a) campaign signs;
 - b) campaign decals or signs placed anywhere that is visible on a vehicle;
 - c) brochures;
 - d) buttons; and
 - e) clothing, that is the colour associated with a particular Candidate as evidenced by any other campaign material.
- 6.5 Scrutineers must show their written appointment to Election Officials upon entry to the Voting location.
- 6.6 Each Scrutineer shall be responsible for their conduct, rights and prohibitions as set out on the applicable appointment form, which will be available on or before September 1, 2026, on the Town's election webpage.
- 6.7 If appointed, scrutineers will be entitled to the following:
- a) to be present at any Voting Location during hours of operation to observe the process.
 - b) to be present in the Receiving Location, at the time when results are announced.
- 6.8 Scrutineers who do not follow the instructions of the Election Official(s) or who attempt to interfere, influence and to determine how an Elector is voting will be requested to leave the Voting Location immediately, their appointment will be revoked and they will not be permitted to re-attend at a Voter Assistance Centre or during the announcement of results. Scrutineers may also have their appointment revoked if they contravene the rules and guidelines established by the Clerk as provided to the Candidates.

7. Programming of the Vote Tabulators

- 7.1 The Vote Tabulator shall be programmed so that a printed record can be produced of the number of votes cast for each Candidate.
- 7.2 The Vote Tabulator shall be programmed to indicate to the Designated Election Official that one of the following ballot conditions have been detected by the Vote Tabulator and the ballot is being returned:
 - a) A Blank Ballot;
 - b) An Over-voted Ballot;
 - c) A Ballot with an Ambiguous Mark;
 - d) A Damaged/Defective Ballot (misread); and
 - e) Deputy Returning Officer's initials are missing.

8. Logic and Accuracy Testing of Vote Tabulators

- 8.1 Prior to Advance Voting, the Clerk shall conduct logic and accuracy testing of all Vote Tabulators to be used in the Election, including replacement Vote Tabulators and all accessibility devices and any appliance, to ensure that they will accurately count the votes cast for all Candidates and operate as programmed. The Clerk shall give notice of the date, time, and location of the testing to Candidates and the public.
- 8.2 When testing the Vote Tabulator, adequate safeguards shall be taken to ensure that the system, or any part of it, that is used for processing and tabulating votes is isolated from all other applications or programs and that no remote devices are capable of gaining access to the Vote Tabulator.
- 8.3 The test shall be conducted by:
 - a) powering up the Vote Tabulator and testing that the battery charge, time settings, LCD Touch Screen, system memory, printer, ports, and scanners are all functioning properly
 - b) Loading the USB Flash Drive device into the Vote Tabulators to ensure it is not defective and can only read acceptable ballot faces.
 - c) Printing a zero report;
 - d) Tabulating a pre-audited group of ballots including ballots that fall into each of the categories of ballots described in Section 7(2) and ballots on which are recorded a pre-determined number of votes for each Candidate;
 - e) Printing the results from the Vote Tabulators by Closing the Polls;
 - f) View and compare the results from the Flash Drives in the tally and reporting application; and
- 8.4 Compare the output of the tabulation against the pre-audited results. If the Returning Officer detects any error in the test, the cause of the error shall be ascertained and corrected, and the test repeated until an errorless test is achieved and certified by the Returning Officer.
- 8.5 The Returning Officer shall, at the completion of the test, clear the vote totals from the test ballots in the Flash Drives and seal the Flash Drives inside the Vote Tabulator.
- 8.6 The Clerk shall retain, pursuant to section 88 of the Act, the pre-audited group of ballots referred to in Section 8(3)(d), the results tapes that were produced during the test and other materials used in the programming of the Vote Tabulators.
- 8.7 The Clerk shall not alter or make changes to the materials referred to in Section 8 (3).

9. Vote Tabulator Set-Up – For Use During Advance Voting Period Only

- 9.1 The Designated Election Official shall, in the presence of all Candidates and/or Scrutineers, ensure there are no ballots or other materials present in the Vote Tabulator Ballot Box and cause the Vote Tabulator to print a copy of all totals in its Flash Drive before the opening of the Voting Location, confirming zero totals. The Designated Election Official shall ensure that the date and time and location are correct.
- 9.2 If the totals are zero for all Candidates, the Designated Election Official shall print two zero reports:
 - a) Remove the first report from the Vote Tabulator and display it in a place visible to all within the Voting Location.
 - b) Ensure that the second zero printout remains affixed to the Vote Tabulator until the results are printed by the Vote Tabulator after the close of the Voting on October 26, 2026, at the receiving location.
- 9.3 If the totals are not zero for all Candidates on a Tabulator that has not been previously used for an Advance Voting Day, the Designated Election Official shall immediately notify the Returning Officer and shall conduct the vote using the Auxiliary Compartment until the Vote Tabulator is made operational or the Returning Officer provides another Vote Tabulator to the Voting Location.
- 9.4 Commence the voting process as outlined in Section 10.
- 9.5 The Designated Election Official may record the number of ballots cast as displayed on the Vote Tabulator periodically throughout the day for the purpose of preparing a reconciliation of the ballots used.
- 9.6 At the close of the Voting Location on each day during Advance Voting, the Designated Election Official will make note of the number of ballots cast that day, secure the Vote Tabulator to prohibit further ballots from being fed into the Vote Tabulator and secure the Ballot Box to ensure that the ballots within the Ballot Box are secured.
- 9.7 When a Tabulator is used for a subsequent advance vote day, the Election Official shall lift the screen to power up the tabulator and enter the password. A configuration report will be automatically printed. The Election Official shall select the “Don’t Close – Keep Voting” option on the screen. The Election Official shall verify that the number of ballots cast displayed on the Tabulator is the same number of ballots cast as reported from the previous advance vote assigned to the Tabulator.
- 9.8 The Report is to remain affixed to the Tabulator and no additional copies are to be printed.
- 9.9 The election official shall initial the report tape at the opening of each day of the advanced voting period
- 9.10 Commence the voting process as outlined in section 10.

10. Voting Procedure

- 10.1 The Returning Officer shall delegate to a Designated Election Official, the authority to initial a ballot and issue the ballot to an Elector in a Secrecy Folder
- 10.2 Upon receiving the ballot, the Elector shall:
- a) Proceed to the Voting Screen; and
 - b) Vote by marking the desired Designated Voting Space(s).
- 10.3 After marking the ballot, the Elector shall:
- a) Insert the ballot into the Secrecy Folder to conceal the votes and expose the initials of the Designated Election Official;
 - b) Leave the Voting Screen without delay;
 - c) Deliver the Secrecy Folder containing the ballot to the Designated Election Official; and
 - d) Wait until the Designated Election Official enters the ballot into the Vote Tabulator and the ballot has been accepted.
- 10.4 Designated Election Official shall, in the presence of the Elector and without removing the ballot from the Secrecy Folder, verify the initials of the Designated Election Official and
- a) If a Vote Tabulator is available at the Voting Location, insert the Secrecy Folder containing the ballot, with the initials of the Designated Election Official face down, into the feed area of the Vote Tabulator and slide the ballot from the Secrecy Folder until the ballot is drawn into the Vote Tabulator;
- Or
- 10.5 If a Vote Tabulator at a Voting Location fails to operate or if a Vote Tabulator is not being utilized
- a) The Designated Election Official shall insert the ballot from the Secrecy Folder, with the initials of the Designated Election Official face down, directly into the Auxiliary Compartment in full view of the Elector;
 - b) The Designated Election Official shall insert the ballots into the Vote Tabulator from the Auxiliary Compartment once the Vote Tabulator becomes operational or one is available; and
 - c) The Designated Election Official shall seal the Auxiliary Compartment with tape provided for that purpose when it is not in use.
 - d) In the event a back-up Vote Tabulator is not available, or a Vote Tabulator is not being utilized, the vote shall be continued using the Auxiliary Compartment. The ballots will then be processed through an operational Vote Tabulator at that location.
- 10.6 Blank Ballot
- a) If a blank ballot is returned by the Vote Tabulator and the Elector who delivered the ballot is still present, the Designated Election Official shall:
 - (i) Quietly advise the Elector that the Vote Tabulator does not detect any votes in any of the Designated Voting Spaces;

- and
 - (ii) Return the ballot to the Elector; and
 - (iii) Instruct the Elector to mark the ballot in accordance with the instructions on the ballot.
- b) If the Elector is not present or declines the opportunity to re-mark the ballot, the Designated Election Official shall, using the Vote Tabulator “CAST” button, cause the Vote Tabulator to accept the ballot

10.7 Over-Voted Ballot

- a) If an over-voted ballot is returned by the Vote Tabulator and the Elector who delivered the ballot is still present, the Designated Election Official shall:
- (i) Quietly advise the Elector that the Vote Tabulator detects more votes for an office than the Elector is entitled to vote for; and
 - (ii) Ask the Elector if he or she wishes 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) Issue a replacement ballot and Instruct the Elector to mark the ballot in accordance with the instructions on the ballot.
- b) If the Elector is not present or declines the opportunity to mark another ballot, the Elector or Designated Election Official shall, using the Vote Tabulator “CAST” button, cause the Vote Tabulator to accept the ballot and record any valid votes that may appear on the ballot. Over-Voted races will not be counted.

10.8 Ambiguous Mark Ballot

- a) If a ballot with an Ambiguous Mark is returned by the Vote Tabulator and the Elector who delivered the ballot is still present, the Designated Election Official shall:
- i) Quietly advise the Elector that in at least one of the Designated Voting Spaces on the ballot, the mark which has been made is not sufficiently dark or complete to allow the Vote Tabulator to determine with certainty that the mark reflects the Elector’s intention; and
 - ii) Return the ballot to the Elector; and
 - iii) Instruct the Elector 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 Tabulator cannot read the original ballot or the Elector requests a new ballot,” 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:
- i) The Election Official who initially issued the ballot shall place the ballot in the Cancelled ballot envelope; and

- ii) Issue a replacement ballot and Instruct the Elector to mark the ballot in accordance with the instructions on the ballot.
- c) If the Elector declines the opportunity to mark another ballot, the Designated Election Official shall fold the ballot and mark the reverse side of the ballot “rejected” and give it to the Designated Election Official to place in the rejected envelope.
- d) If a ballot is returned by the Vote Tabulator with an ambiguous mark and the Elector who delivered the ballot is not present, the Designated Election Official shall in full view of any Candidates or scrutineers present, place the ballot in an envelope marked as “Special Circumstances” and put in the auxiliary compartment and advise the Returning Officer as soon as possible.
- e) The Clerk, or a designated official of the Returning Officer, shall remove the ballot from the Special Circumstances envelope, mark a new ballot with the Elector’s intention as contained in the designated voting space on the original ballot as follows:
 - i) the original ballot shall be clearly labeled “cancelled”;
 - ii) the “cancelled” ballot shall be given a serial number which shall also be recorded on the “replacement” ballot;
 - iii) the “replacement” ballot shall be clearly labeled “replacement”;
 - iv) the Designated Election Official shall place their initials on the “replacement” ballot;
 - v) place the “cancelled” ballot in the cancelled ballot envelope.
- f) The Designated Election Official shall feed the replacement ballot into the Vote Tabulator in accordance with the procedures outlined in this Section.
- g) If the Elector’s intent is unknown the ballot will be considered rejected.

10.9 Damaged or Defective Ballot (misread)

- a) If a damaged or defective ballot is returned by the Vote Tabulator and the Elector 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 the Vote Tabulator again rejects the ballot, the appropriate Designated Election Official shall:
 - i) Quietly advise the Elector that the ballot cannot be processed by the Vote Tabulator;
 - ii) Ask the Elector if he or she wishes another ballot and, if so, 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
- b) Issue a replacement ballot and Instruct the Elector to mark the ballot in accordance with the instructions on the ballot
- c) If the Elector declines the opportunity to mark another ballot, the Designated Election Official shall fold the ballot and mark the reverse side of the ballot “declined” and the Designated Election Official shall place it in the declined ballot envelope.
- d) If a damaged or defective ballot is returned by the Vote Tabulator and the Elector who delivered the ballot is not present, follow procedures as outlined in 10.8 (d).

10.10 No Election Official Initials Ballots

- a) Where there are no Election Official initials in the space provided at the top of the ballot, the designated Election Official shall take all reasonable steps to determine which Election Official issued the ballot and have the appropriate initials placed on the ballot. The ballot shall then be inserted into the vote Tabulator.

11. Accessible Voting at the Advance Voting Days

- 11.1 Any Elector may request to use the AutoMARK Voter Assist Terminal (VAT) at the time their name is struck off the Voters' List. The Designated Election Official shall upon striking the name off the Voters' List instruct the Elector to go directly to the Designated Election Official at the Vote Tabulator where the AutoMark Terminal is placed.
- 11.2 The Designated Election Official, upon receiving an Electors' request to use the VAT, shall insert the appropriate ballot into the VAT feed tray for scanning onto the screen and for printing once selections are complete and will place a Secrecy Folder at the printer exit slot to receive the ballot as it is printed.
- 11.3 The Designated Election Official will review the process with the Elector and provide them with the headphones and any other available equipment requested to be used to mark their ballot.
- 11.4 The Elector may listen to the audio presentation and uses the touchscreen, arrow button controls or rocker paddle to move between the races for different offices and the marking of their selections. At the end of the accessible voting session, the Elector is prompted to review their selections and make a confirmation.
- 11.5 The Elector notifies the Designated Election Official that they have completed their selections and that they wish to print their ballot. The Automark printer produces a paper copy of the marked ballot (the marks on the ballot appearing as if they have been produced by hand), which is then fed into the Secrecy Folder.
- 11.6 The Designated Election Official shall direct the Elector to a Tabulator to feed the ballot into the Vote Tabulator in accordance with Section 10.

12. Closing the Voting Location on an Advance Vote Day

- 12.1 The procedures in this section shall be followed by the Designated Election Official at the close of each day of Advance Voting.
- 12.2 The Designated Election Official shall, at the end of each day of Advance Voting Day, check the Auxiliary Compartment for ballots to ensure all ballots have been processed, and shall immediately and in full view of any Candidates, Scrutineers or other Designated Election Officials:
- a) Process any ballots, if any, from the Auxiliary Compartment;
 - b) Record the number of ballots cast during the Advance Vote session
 - c) Ensure that the Zero Report and any Configuration Reports remain affixed to the printer of the Vote Tabulator;
 - d) Power down without closing the polls by initiating the tools menu on the ballot insertion screen and unplug the Vote Tabulator once finished;
 - e) In full view, the Designated Election Officials will remove the Vote Tabulator from the top of the Ballot Box, seal the Ballot Box and the Supply Ballot Box to ensure the boxes cannot be re-opened without breaking the seals and deliver the Vote Tabulator, the Ballot Box, and Supply Ballot Box to the location and person designated by the Returning Officer.
 - f) Place all forms and unused forms into the appropriate envelopes, collect all supplies and place in the Election Supply Tote and deliver to the location and person designated by the Returning Officer.
 - g) The designated Election Official will make out a statement addressing the number of:
 - (i) Ballots received from the Clerk
 - (ii) Ballots used
 - (iii) Cancelled and declined and rejected ballots
 - (iv) Defective ballots
 - (v) Unused ballots
 - h) Sign and deliver to the Clerk.

13. Advance Voting Unofficial Results

- 13.1 The total votes cast at an Advance Vote and at the Institutions or Retirement Homes - Roving Polls Voting Locations shall not be printed and/or available until after the final close of voting at 8:00 p.m. local time on Voting Day, at the receiving centre location designated by the Clerk.

14. Early Opening/Closing of Voting Places (Institutions or Retirement Homes – Roving Polls)

The following procedures shall be followed for the early opening and closing of Institutions or Retirement Homes:

- 14.1 Vote Tabulators will be used for all Institutions or Retirement Home locations on Advance Voting Days. Alternate voting methods (internet voting) will be used on Election Day.
- 14.2 At the opening of the first location the same procedures shall be followed as in Section 9.
- 14.3 Voting will commence by following the procedures in Section 10.
- 14.4 The Designated Official shall, after the close of the first poll check the Auxiliary Compartment for ballots to ensure all ballots have been processed.
- 14.5 Look at the display on the Vote Tabulator and write down the number of ballots processed through the unit.
- 14.6 Power down the Vote Tabulator.
- 14.7 Unplug the Vote Tabulator, seal the Ballot Box and place the Vote Tabulator in the box provided. Candidates or scrutineers may, if present, place their seal on the Ballot Box. The Ballot Box will be delivered to the Returning Officer or designated election official, before relocating to the next institution or retirement home.
- 14.8 Relocate the Vote Tabulator and all election materials to the next Institution or Retirement Home. The Vote Tabulator shall be plugged in, and the votes cast on the display shall be verified with the votes cast from the previous poll's count.
- 14.9 The Election Official shall lift the screen to power up the Tabulator and enter the password. A configuration report will be automatically printed. The Election Official shall select the "Don't Close – Keep Voting" option on the screen. The Election Official shall verify that the number of ballots cast displayed on the Tabulator is the same number of ballots cast as reported from the previous advance vote assigned to the Tabulator.
- 14.10 This Reports is to remain affixed to the Tabulator and no additional copies are to be printed.
- 14.11 The election official shall initial the report tape at the opening of each location of the advanced voting period and commence the voting process
- 14.12 This process is to be repeated at each Institution or Retirement Home location.
- 14.13 Upon all votes being cast at the last Institution or Retirement Home Location, the Voting Location shall be deemed to be closed and the procedures in Section 13 shall be followed.

14.14 The total of the votes from the Institution or Retirement Home Locations shall not be made available until after 8:00 p.m. on Voting Day.

15. Procedure in the Event a Vote Tabulator Malfunctions During the Voting Process

- 15.1 In the event that a Vote Tabulator malfunctions during the voting process and the Flash Drives are still functional, the Returning Officer or designate shall be notified and it may be necessary for an adjustment or replacement of the Vote Tabulator. If this is necessary, the faulty equipment will be substituted with a spare Vote Tabulator if available.
- 15.2 The following steps shall be performed in order to smoothly and quickly replace the faulty equipment and resume the regular voting activities. Note: At no time shall an Elector be prevented from casting their ballot:
- a) The Designated Election Official shall in full view of any Candidates, Scrutineers, Electors or Election Staff, power down the device, break the seal and remove the Flash Drive from the malfunctioning Vote Tabulator and insert the Flash Drive into the replacement Vote Tabulator;
 - b) The Designated Election Official shall pack up the faulty equipment and set up the substitute Vote Tabulator. In an effort to expedite the replacement, the Designated Election Official who delivered the replacement Vote Tabulator may assist in packing up the faulty equipment;
 - c) The Designated Election Official shall turn on the replacement Vote Tabulator and proceed to print a configuration tape to verify the number of ballots processed to that point. No results are displayed on this tape. The Designated Election Official shall then sign the re-start tape and leave the tape attached to the Vote Tabulator.
 - d) The existing Ballot Box continues to be used to accept ballots that are to be fed through the replacement Vote Tabulator for the remainder of the day.
 - e) In the event that the Vote Tabulator and Flash Drives malfunction, the Designated Election Official shall immediately contact the Clerk's Office. Once the replacement Vote Tabulator and Flash Drives have been provided, the Designated Election Official shall:
 - (i) Verify that the Vote Tabulator and replacement Flash Drives are operational, seal the Ballot Box containing any ballots which were previously processed or inserted into the Auxiliary Compartment during the "equipment swap" and secure the Ballot Box until the close of the poll.
 - (ii) A new, empty Ballot Box is then used to accept ballots that are to be fed through the Vote Tabulator with the Flash Drives for the remainder of the day.
 - (iii) The Designated Election Official shall turn on the Vote Tabulator and proceed to print, verify, and sign the Zero Totals Report, as was done prior to the opening of the poll.
 - (iv) The ballots in the original Ballot Box and original Auxiliary Compartment will be fed through the Vote Tabulator after the close of voting at the Voting Location.

16. Unofficial Vote Results Reporting

- 16.1 As soon as possible after 8:00 p.m. on Election Day at the Receiving Location, the Clerk shall download unofficial results for each contest from the Internet Voting System. Results from the Internet Voting will be entered into the tally and reporting system to be combined with the results from the votes cast using Vote Tabulators.
- 16.2 Tabulated votes will be compiled in the Town's tally and reporting system commencing at the final close of voting, on Voting Day by causing each Tabulator to print a results tape and by uploading, at the designated location, Flash Drives from every Vote Tabulator used at an Advanced Voting Location. The designated Election Official shall:
- a) Remove the security seal from the access compartment and use the security key to open the compartment and hold the "close poll" button for three seconds
 - b) Activate the Close Poll button on the LCD screen on the Vote Tabulator;
 - c) The Tabulator will automatically print the pre-programmed number of results tapes
 - d) Sign one copy of the Results tape and permit any Candidates or scrutineers who are present if they wish, to do the same;
 - e) Leave the last copy of the Results tape attached to the Vote Tabulator and affix the respective security seal on the back of the tape
 - f) Flash Drives will be removed from the Vote Tabulators at the Receiving Centre by the Returning Officer or Designated Election Official and consolidated in the tally and reporting system to complete the reporting results.
- 16.3 The Returning Officer shall review, validate and publish unofficial vote results from the Town's tally and reporting system to the Town's web site and anywhere else the Clerk deems appropriate.
- 16.4 Only the Clerk, appointed Election Officials, Certified Candidates or their Scrutineer, election vendor personnel may be present at the Receiving Location, and those present may sign the unofficial results. The Clerk will review, validate, and publish unofficial vote results from the Town's tally and reporting system to the Town's website.
- 16.5 If a Candidate or their Scrutineer enters the receiving centre at the location designated by the Clerk, prior to 8:00 p.m. they shall not leave until after 8:00 p.m. on Voting Day.
- 16.6 The Clerk shall give Candidates notice of the location of the receiving centre designated by the Clerk.

17. Recounts

- 17.1 If a recount is held, the recount shall be in accordance with these procedures subject to the necessary modifications acknowledging that the tabulation of votes will occur at a single location and in the absence of Electors. The votes shall be counted in the same manner as the original count, using Vote Tabulators.
- 17.2 Vote Tabulators shall be tested before the recount in accordance with Section 8.
- 17.3 The recount is limited to the ballots tabulated by a Vote Tabulator during the Advance Voting.

18. Appendices

Appendix “A” Definitions

In this procedure:

“**Act**” means the *Municipal Elections Act, 1996*, S.O., 1996, c.32, as amended.

“**Advance Vote**” or “**Advance Voting**” means the advance votes as established by the Clerk.

“**Ambiguous Mark**” occurs when the Vote Tabulator detects an Elector’s mark that is not large enough or dark enough to clearly show the Elector’s intent. The threshold for an Ambiguous Mark is more than 5% and less than 25%. This could be considered a rejected ballot.

“**Assistive Device**” means a device that can be connected to a Voter Assistance Terminal (VAT) to assist with voting independently.

“**Voter Assistance Terminal** or “**VAT**” means an accessible ballot-marking device that helps voters—especially those with disabilities or language barriers—privately and independently make their selections on a paper ballot, without counting or storing votes
By allowing the Elector to navigate through and make selections on a ballot which is then printed out on a dedicated printer.

“**Auxiliary Compartment**” means the front compartment of the ballot box in the Vote Tabulator stand where Electors’ ballots are temporarily stored in the event a Vote Tabulator fails to operate.

“**Ballot Box**” means the secure container in which voted ballots are deposited. It also includes containers into which voted ballots are deposited at voting locations where Tabulators are not immediately utilized. The Supply Ballot Box is deemed to be an extension of the Ballot Box therefore all legislation pertaining to the Ballot Box shall also apply to the Supply Ballot Box.

“**Ballot Marking Pen**” means a pen supplied by the Designated Election Official for the use of an Elector to mark the ballot.

“**Blank Ballot**” is the message provided by the Vote Tabulator indicating that a ballot could not be read by the Vote Tabulator because the ballot was completely blank or the marks on the ballot could not be read by the Vote Tabulator.

“**Cancelled Ballot**” means a ballot that has been returned to the Designated Election Official by the Elector and was replaced with a new ballot.

“**Clerk**” means the Clerk of the Town of New Tecumseth or her designate.

“**Composite Ballot**” means a paper ballot including Candidates for all eligible races.

“**Damaged/Defective Ballot**” is the message provided by the Vote Tabulator indicating that the Vote Tabulator is not able to read and process a ballot.

“**Declined Ballot**” means a ballot that is returned to the Designated Election Official by the Elector because they have decided not to cast a ballot and is not processed by the Vote Tabulator.

“Designated Election Official” means the person designated by the Clerk to perform certain election functions as determined by the Clerk in writing.

“Designated Voting Space” means the space within the oval outlined in red appearing to the right of a Candidate’s name.

“Mark” means a mark made in the Designated Voting Space which is sufficiently dark or complete to allow a Vote Tabulator to determine the mark that reflects the Elector’s intention.

“Flash Drive” means a Compact USB Flash Drive that is a removable electronic flash data storage device where all tabulated votes are stored for that Vote Tabulator.

“Over-Voted” is the message provided by the Vote Tabulator indicating a situation where a ballot has been marked for more than the number of Candidates allowed for that office. This ballot is considered rejected.

“Rejected Ballots” means Over-Voted Ballots and could mean Ambiguous Marked Ballots, as well as ballots identified in Regulation 101/97 (attached).

“Results Tape” means a paper record produced by each Vote Tabulator at the close of voting to show unofficial results for each Candidate.

“Returning Officer” means the Clerk for the Corporation of the Town of New Tecumseth.

“Roving Polls” means the Institution or Retirement Home Voting Locations with reduced voting hours as established by the Clerk.

“Secrecy Folder” means the folder in which a ballot is placed to conceal the names of the Candidates and the marks made by the Elector upon the face of the ballot, but which exposes the initials of the Designated Election Official(s).

“Security Key” means a key assigned to each Vote Tabulator which allows a Designated Election Official to perform administrative tasks using the Vote Tabulator.

“Sip-and Puff Device” means an assistive device with a pneumatic switch that can be connected to an Audio Tactile Interface (ATI).

“Supply Ballot Box” means the secure container in which ballots that have not been voted are kept as a supply for the Designated Election Official to be able to issue to the Electors.

“Voting Day” means October 26, 2026.

“Voting Assistance Centre” means the place where voting takes place as designated by the Clerk.

“Voting Screen” means a physical barrier designed to provide privacy to an eligible Elector while they mark the ballot.

“Vote Tabulator” means a machine that digitally scans a designated voting space on a ballot to read vote(s), store information and tabulate results.

“Vote Threshold” means the number of pixels detected in each Designated Voting Space enabling the Vote Tabulator to determine a vote.

Municipal Elections Act, 1996

ONTARIO REGULATION 101/97

GENERAL

Consolidation Period: From April 1, 2026 to the [e-Laws currency date](#).

Last amendment: 92/26.

Legislative History: 426/00, 383/02, 431/02, 341/03, 499/09, 303/13, 326/16, 150/18, 341/18, 57/22, 92/26.

This is the English version of a bilingual regulation.

1. For the purposes of subsection 33 (1.4) of the Act, the prescribed number of electors is 4,000. O. Reg. 150/18, s. 1.
2. (1) For the purpose of clause 33 (2) (c) of the Act, the prescribed nomination filing fee is \$100 except for the office of head of council of a municipality, in which case the filing fee is \$200. O. Reg. 150/18, s. 1.
 - (2) The nomination filing fee shall be paid,
 - (a) in cash;
 - (b) by certified cheque or money order made payable to the municipality; or
 - (c) by an electronic method of payment that the clerk specifies. O. Reg. 150/18, s. 1.
 3. (1) The rules set out in subsection (2) are prescribed for the purpose of section 54 of the Act (rejection of ballots). O. Reg. 326/16, s. 2.
 - (2) The deputy returning officer shall reject from the count,
 - (a) all votes in a ballot, if the ballot,
 - (i) was not supplied by the deputy returning officer, or
 - (ii) contains writing or marks that may identify the elector, or is torn, defaced or otherwise dealt with by the elector in a way that may identify him or her;
 - (b) all votes in a ballot for an office, if votes have been cast for more candidates for the office than are to be elected;
 - (c) all votes in a ballot on a by-law, if votes have been cast for both the affirmative and negative on the by-law;
 - (d) all votes in a ballot on a question, if votes have been cast for more than one answer on the question;
 - (e) any vote in a ballot, if the vote is not marked inside the space provided for marking the ballot. O. Reg. 101/97, s. 3.
 4. The following rules are prescribed for the purpose of subsection 60 (2) of the Act:
 1. The clerk shall give notice of the recount to:
 - i. every certified candidate for an office that is the subject of the recount,
 - ii. in the case of a recount requested under subsection 57 (1) of the Act, the council, local board or Minister, as the case may be,
 - iii. in the case of a recount ordered under section 58 of the Act, the applicant, and
 - iv. in the case of a recount concerning an office, question or by-law in respect of which electors of another municipality are entitled to vote, the clerk who was responsible for the conduct of the vote in that other municipality.
 2. The clerk shall open the ballot boxes and count,
 - i. in the case of a recount in an election for an office, the number of votes for each candidate who is subject to the recount under section 56, 57, 58 or 59 of the Act,
 - ii. in the case of a recount in an election to obtain the assent of the electors to a by-law, the number of votes in favour of the by-law and the number opposed, and
 - iii. in the case of a recount in an election to obtain the opinion of the electors on a question, the number of votes for each possible answer to the question.
 3. The clerk shall reject from the count all ballots and votes in a ballot that do not comply with the rules set out in subsection 3 (2).

4. The clerk may conduct the recount by adding the votes from the statements of results prepared by the deputy returning officers under subsection 55 (1) of the Act, rather than by following rules 2 and 3, if a recount under those rules is waived by,
 - i. each candidate subject to the recount under section 56, 57, 58 or 59 of the Act who is present, in the case of a recount in an election for office,
 - ii. the council that submitted the by-law, in the case of a recount in an election to obtain the assent of the electors to a by-law,
 - iii. the Minister, council or local board that submitted the question, in the case of a recount in an election to obtain the opinion of the electors on a question, and
 - iv. the applicant, if he or she is present, in the case of a recount ordered under section 58 of the Act. O. Reg. 101/97, s. 4.

5. The following formulas are prescribed for the purpose of subsection 88.20 (6) of the Act (maximum amount):

1. In the case of a candidate for the office of head of council of a municipality, the amount shall be calculated by adding together \$7,500 plus 85 cents for each elector entitled to vote for the office.
2. In the case of a candidate for another office, the amount shall be calculated by adding together \$5,000 plus 85 cents for each elector entitled to vote for the office.
3. REVOKED: O. Reg. 326/16, s. 3 (2).

O. Reg. 101/97, s. 5; O. Reg. 426/00, s. 1; O. Reg. 383/02, s. 2; O. Reg. 499/09, s. 1; O. Reg. 326/16, s. 3.

5.1 REVOKED: O. Reg. 150/18, s. 2.

6. The following formulas are prescribed for the purpose of subsection 88.20 (9) of the Act (maximum amount for parties, etc., after voting day):

1. In the case of a candidate for the office of head of council of a municipality, the amount shall be calculated as 10 per cent of the amount calculated under paragraph 1 of section 5.
2. In the case of a candidate for another office, the amount shall be calculated as 10 per cent of the amount calculated under paragraph 2 of section 5. O. Reg. 150/18, s. 2.

7. The formula prescribed for the purpose of subsection 88.21 (6) of the Act (registered third parties' expenses — maximum amount) is the amount that is calculated by adding together \$5,000 plus five cents for each elector entitled to vote in a regular election or by-election, as the case may be, in the municipality, to a maximum of \$25,000. O. Reg. 341/18, s. 1.

8. The formula prescribed for the purpose of subsection 88.21 (9) of the Act (registered third parties' expenses — maximum amount for parties, etc., after voting day) is the amount that is calculated as ten percent of the amount calculated under section 7, to a maximum of \$2,500. O. Reg. 150/18, s. 2.

9. For the purpose of clause 88 (11) (b) of the Act, the following methods of making a voters' list prepared under the Act available to the public are prescribed:

1. Posting on an Internet website.
2. Any other print or electronic medium of mass communication. O. Reg. 150/18, s. 2.

10. (1) The forms set out in Table 1 are prescribed as required forms for the purposes indicated in that Table. O. Reg. 150/18, s. 2.

(2) The forms prescribed by subsection (1) are the forms that are available on the website of the Government of Ontario Central Forms Repository under the listing for the Ministry of Municipal Affairs. O. Reg. 150/18, s. 2.

TABLE 1
FORMS

Column 1 Form	Column 2 Title	Column 3 Date	Column 4 Purpose for which form is used
1	Nomination Paper	2026/04	a nomination under sections 33 and 35 of the Act
2	Endorsement of Nomination	2026/04	an endorsement of a nomination under section 33 of the Act
3	Appointment for Voting Proxy	2026/04	an appointment of a voting proxy, declaration of voting proxy, clerk's certificate and oath of voting proxy under section 44 of the Act
4	Financial Statement — Auditor's Report — Candidate	2026/04	a consolidated financial statement and auditor's report under section 88.25 of the Act
5	Financial Statement — Subsequent Expenses	2026/04	a financial statement under section 88.32 of the Act for subsequent expenses after the return of a surplus

6	Notice of Extension of Campaign Period	2026/04	a notice of extension of campaign period under sections 88.24 and 88.28 of the Act
7	Notice of Registration — Third Party	2026/04	a notice of registration filed under section 88.6 of the Act by a third party advertiser
8	Financial Statement — Auditor's Report — Third Party	2026/04	a consolidated financial statement and auditor's report under section 88.29 of the Act
9	Declaration of Identity	2026/04	an application and statutory declaration under paragraph 1 of subsection 52 (1) of the Act

O. Reg. 150/18, s. 2; O. Reg. 57/22, s. 1; O. Reg. 92/26, s. 1.

11. REVOKED: O. Reg. 499/09, s. 2.

11.1-11.4 REVOKED: O. Reg. 341/03, s. 1.

12.-15. REVOKED: O. Reg. 499/09, s. 2.

FORMS 1-9 REVOKED: O. Reg. 341/03, s. 2.