Amendment to Municipality of Leamington
Clerk's Election Procedures
Municipal and School Board election

8. Candidate Nomination Procedure – Filing of Nomination Papers

Remove

8.6 The prescribed nomination filing fee is $200 for Mayor or Deputy Mayor and $100 for all other offices including school board trustees. This fee must be paid to the Clerk at the time the Nomination Paper is submitted (payment by way of cash or debit or money order).

Add

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11. 11. Scrutineers

Remove

11.1 A Candidate may appoint one or more Scrutineer, per Tabulator to represent them at:

- Logic and Accuracy Testing of the Tabulators;
- Voting Places during Advance Voting Day(s) and Voting Day; and
- at the Vote Counting Centre on Voting Day.

Add

11.1 A Candidate may appoint one Scrutineer, per Tabulator to represent them at:

- Logic and Accuracy Testing of the Tabulators;
- Voting Places during Advance Voting Day(s) and Voting Day; and
- at the Vote Counting Centre on Voting Day.

Add

11.10 Scrutineers must be eighteen (18) years of age or older.

Remove

19.1 September 30, 2026

Add

19.1 October 10, 2026

Remove

22. Opening of Voting – Status and Zero Tape Report

22.1 On Voting Day or any advance Voting Day, the Tabulator Officer, in the presence of the Supervisor/Deputy Returning Officer will open the Tabulator in accordance with the DS200 Open Procedures (attached as Appendix “A” to these Clerk’s Procedures).

22.2 Prior to the opening of the Voting Location, a Configuration Report, Ballot Status Accounting Report and a Zero Report will be generated by the DS200 Tabulator to demonstrate that no votes have been cast in the software before voting opens. The reports will be generated before the opening of the Voting Place by the Tabulator Officer in the presence of the Supervisor/Deputy Returning Officer.

Add

22. Opening of Voting – Status and Zero Tape Report

22.1 Prior to the opening on Voting Day or any Advance Voting Day, the Tabulator Officer, in the presence of at least one of the Supervisor/Deputy Returning Officers and any Candidates or Scrutineers that are present, will open the Tabulator in accordance with the DS200 Open Procedures (attached as Appendix “A” to these Clerk’s Procedures).

22.2 The DS200 will print a minimum of one (1) Configuration Reports and a minimum of one (1) Zero Tape Reports demonstrating that no votes have been cast in the software before voting opens which are to be kept with the Tabulator until close of the Voting Place. The Tabulator Officer and at least one Supervisor/Deputy Returning Officer shall sign the Zero Tape Report. The Zero Tape Report shall remain affixed to the Tabulator until the close of the vote. Any Candidates or Scrutineers present may sign the Zero Tape Report if they so desire.

22.3 If the totals are not zero for all offices, the Supervisor/Deputy Returning Officers will contact the Clerk immediately and conduct the vote using the auxiliary compartment of the Ballot Box until the Tabulator is made operational or the Clerk provides a back-up Tabulator at the Voting Place.

Remove

25. Usual Voting Procedures

25.1 The Elector shall proceed immediately to the Voting Booth. The Elector will mark the Ballot with the Ballot Marking Device provided and place it back in the Privacy Sleeve leaving the Ballot Officer's initials exposed and immediately proceed to the Tabulator Station without letting anyone see what marks have been made on the face of the Ballot. The Elector shall give the Privacy Sleeve, with the Ballot concealed in the Privacy Sleeve, to the Tabulator Officer. The Tabulator Officer shall then feed the Ballot into the Tabulator with the initials facing up to the Tabulator while keeping the Ballot concealed by the Privacy Sleeve.

Add

25. Usual Voting Procedures

25.1 The Elector shall proceed to the Voting Booth. The Elector will mark the Ballot with the Ballot Marking Device provided and place it back in the Privacy Sleeve leaving the Ballot Officer's initials exposed and immediately proceed to the Tabulator Station without letting anyone see what marks have been made on the face of the Ballot. The Elector shall give the Privacy Sleeve, with the Ballot concealed in the Privacy Sleeve, to the Tabulator Officer. The Tabulator Officer shall check to ensure that the Ballot has initials from the Ballot Officer in the top right hand corner of the face of the Ballot. The privacy sleeve shall then be turned over so that the Ballot is facedown when fed into the Tabulator while keeping the Ballot concealed in the Privacy Sleeve.

Add

Ballot Misread

27.4 The Tabulator will reject the Ballot if it is unable to identify the Ballot due to the Ballot being skewed when feeding into the Tabulator. The Ballot is realigned and re-fed into the Tabulator. If the Ballot is rejected again, the Ballot will be returned to the Elector to receive a new Ballot from the Ballot Officer. The Supervisor/Deputy Returning Officer will mark the Rejected Ballot "Cancelled" and place the Ballot in the envelope marked "Cancelled."

27.5 Cancelled Ballots should be recorded on the Ballot Reconciliation Statement provided, so that the total number of Ballots issued remains accurate; however, cancelled Ballots do not count toward the total number of tabulated votes cast.

Defective Ballot

27.6 If the Tabulator detects a defective Ballot, it will automatically return the Ballot. The Tabulator Officer will explain to the Voter that the Ballot was not counted and needs to be reinserted. If the Ballot is not accepted on the second try, the Ballot will be returned to the Supervisor/Deputy Returning Officer who shall mark

"Cancelled" on the back of the Ballot and place it an envelope for "Cancelled Ballots". The Supervisor/Deputy Returning Officer will then deliver a new Ballot to the Voter.

27.7 Cancelled Ballots should be recorded on the Ballot Reconciliation Statement provided, so that the total number of Ballots issued remains accurate; however, cancelled Ballots do not count toward the total number of tabulated votes cast.

Ballot Undervote

27.8 Undervoting refers to a Ballot where the Elector has marked less than the number of designated voting spaces than they are entitled to vote for that office. Ballots that have been undermarked will be automatically accepted by the Tabulator and any votes shall be counted.

Ballot Overvote

27.9 The Tabulator will present a warning if it detects more votes in the designated voting spaces than the Elector is entitled to mark on the Ballot (known as overvoting). The Tabulator Officer will inform the Elector of the error, at which time the Elector will have opportunity to take the Ballot to the Supervisor/Deputy Returning Officer to return the Ballot and receive a new Ballot. The Elector will only be provided one replacement Ballot. The original rejected Ballot is now marked as "Cancelled" on the back of the Ballot and placed in the envelope marked "Cancelled."

27.10 If the Elector wants to continue to cast their Ballot **"as-is",** the Tabulator Officer will have the Tabulator accept the Ballot "as-is" in which case only the correctly marked offices will be tabulated.

Ambiguous Marks

27.11 If the Tabulator detects ambiguous marks, it will identify an error and return the Ballot. The Election Official will explain to the Voter that the Ballot was not counted because the Tabulator detected an ambiguous mark and the Elector's intent cannot be determined. The Tabulator Officer will inform the Elector of the error and ask the Elector to review the Ballot to ensure it is clearly marked in the Defined Area provided and allow the Elector to return to the Voting Booth to mark the Ballot correctly. If the Ballot cannot be remarked properly, the Elector may ask the Supervisor/Deputy Returning Officer for a new Ballot to mark. The original rejected Ballot is now marked as "Cancelled" on the back of the Ballot and placed in the envelope marked "Cancelled." If the Elector refuses to accept a replacement Ballot, the Election Official shall write "Declined" on the back of the Ballot and place it in the "Declined Ballot" envelope.

27.12 Cancelled Ballots should be recorded on the Ballot Reconciliation Statement provided, so that the total number of Ballots issued remains accurate; however,

cancelled Ballots do not count toward the total number of tabulated votes cast.

No Election Official Initials on Ballot

27.13 Where the Tabulator detects that there are no Election Official initials on the Ballot, the Election Official shall advise the Supervisor/Deputy Returning Officer who shall take reasonable steps to determine which Election Official issued the Ballot and have the appropriate initials placed on the Ballot. The Ballot will be returned to the Tabulator Officer who will then reinsert the Ballot into the Tabulator.

Jammed Ballots

27.14 In the event a Ballot becomes jammed in the Tabulator, the Election Official shall follow the directions on the screen. When prompted, re-feed the Ballot into the Tabulator. The Tabulator will identify when the Ballot has been counted and not counted due to the jam.

Add

Appendix “B2”

Add

Appendix “C2”

Appendix “B2”

Close of Voting at the Voting Place - Voting Day

The Supervisor/Deputy Returning Officer at each Voting Place shall, at 8:00 PM on Voting Day, provided that all Electors within the Voting Place as of 8:00 PM have cast their Ballots, close the Voting Place such that no additional Ballots may be cast.

After the last Elector’s vote is cast, the Tabulator Officer, in the presence of at least one of the Supervisor/Deputy Returning Officer will check the back-up Auxiliary Compartment of the Ballot Box to ensure that all Ballots have been tabulated, then immediately:

a) secure the Tabulator against receiving any more Ballots;

b) cause the Tabulator to print three (3) Report Tapes indicating the total votes for each Candidate;

c) sign the Report Tapes along with any Candidates or Scrutineers who are present and wish to initial the Results Tape.

The Supervisor/Deputy Returning Officer will contact the Clerk to report the totals verbally for unofficial results reporting and then:

a) place one (1) signed Results Tape in the Election Results Envelope, with the Zero Tape and Election Definition Media Stick (USB);

b) place one (1) signed Results Tape on the wall for any Candidates or Scrutineers present to view; and

c) attach one (1) signed Results Tape, with the Zero Tape, to the Ballot Reconciliation Statement and place inside the Clerk’s Envelope once all Ballots have been reconciled.

The Tabulator Officer removes the Election Definition Media Stick from the Tabulator and gives it to the Supervisor/Deputy Returning Officer who will include in the Election Results Envelope. The Election Results Envelopes and Ballot Boxes must be secured for return to the Clerk at the Counting Centre.

The other Election Officials are responsible for cleaning up the Voting Place and packaging all equipment and supplies. The Supervisor/Deputy Returning Officer and one other Election Official are responsible for packaging and transporting the Vote Tabulators and all other election supplies back to the Municipal Building to be placed in the designated secure storage location.

Most Voting Places will contain two (2) or more Tabulators. In this case, the statements

from the two (2) or more Tabulators will be added together and deemed to be one document for the purpose of Ballot balancing by the Supervisor/Deputy Returning Officer.

Accessible Voting

A Ballot marked using the accessible voting equipment (Automark) will not be distinguishable from a Ballot marked by hand thus maintaining voter privacy.

Replacement Tabulator

Prior to Voting Day, any spare Tabulators will have been tested through Logic & Accuracy Testing along with the other Tabulators. In the event that the Tabulator must be replaced, the designated Election Official shall contact the Clerk for direction.

Appendix “C2”

Close of Tabulators on Advance Voting Days

Votes from all Advance Voting Days shall not be tabulated, nor shall results be printed until after 8:00 PM on Voting Day (Monday, October 26, 2026) at the Counting Centre.

At the close of Advance Voting, the Tabulator Officer, in the presence of at least one of the Supervisor/Deputy Returning Officer will close the Voting Place such that no additional Ballots may be cast in that Tabulator. The Tabulator Officer will check the back-up Auxiliary Compartment of the Ballot Box to ensure that all Ballots have been tabulated, then immediately:

a) secure the Tabulator against receiving any more Ballots;

b) write down the total number of votes cast from the Tabulator display screen. The number will later be recorded on the Ballot Reconciliation Statement;

c) shut down the Tabulator by following the DS200 Ballot Scanner instructions for Advance Dates (Appendix “C” as attached):

d) in full view, leave the Zero Tape attached to the Tabulator. The USB remains with the Tabulator and is confirmed by the yellow seal on the Tabulator.

e) Place the Tabulator in the soft case provided, seal the case with a blue tamper seal so that it cannot be opened without breaking the zip tie and record the security number on the sheet provided.

The Supervisor/Deputy Returning Officer completes the Ballot Reconciliation Statement (Advance Vote) and returns it to the Clerk with the Tabulator.