

Voting at institutions: long term care homes	City Clerk's Office – Toronto Elections
	Procedure No.: PRO-ELER-003-MBE

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1. Purpose

This document outlines the procedure for voting at institutions, that is long term care homes.

2. Application

This procedure applies to election officials designated by the City Clerk, electors, candidates and scrutineers.

This procedure applies to a voting place at "an institution in which, on September 1, 20 or more beds are occupied by persons who are disabled, chronically ill or infirm", as required in section 45(7)(2) of the Municipal Elections Act, 1996.

3. Authority/Legislative reference(s)

Section 46(3) of the Municipal Elections Act, 1996 provides that the City Clerk may establish reduced voting hours at an institution.

4. The opening of voting

Voting shall be scheduled at a specific time arranged with each institution and communicated to residents and candidates.

5. Issuing a ballot

(1) Electors will be issued a ballot in the following circumstances:

- (a) the elector is on the voters' list and presents identification;
- (b) the elector is on the voters' list, does not have identification and completes a Declaration of Identity;
- (c) the elector is on the voters' list with incorrect information, presents identification and completes a Voters' List Amendment Application to correct their information on the voters' list;
- (d) the elector is not on the voters' list, presents identification and completes a Voters' List Amendment Application to add themselves to the voters' list; or

- (e) the elector is not on the list, unable to provide identification, the institution confirms identity and the elector completes a Voters' List Amendment Application to add themselves to the voters' list. Refer to the policy on *Identification requirements for electors, section 5(2)*.
- (2) An elector who has been issued a ballot may not:
 - (a) leave the voting room with the ballot; or
 - (b) return the ballot to a designated election official in order to leave the voting room and return to vote at a later time.
- (3) Where an elector is unable to attend the voting room, a designated election official(s) will process electors bed to bed. In most instances, scrutineers and candidates are permitted to accompany the designated election official(s).

6. Removing a name from the voters' list

- (1) A person may remove their name from the voters' list by presenting identification and completing a Voters' List Amendment Application.

7. The close of voting

- (1) The voting place shall close at the time the City Clerk designates.
- (2) Any electors remaining in line at the close of voting are permitted to vote. A designated election official shall stand at the end of the line to prevent any additional electors from joining the line.

8. Tabulating Ballots

- (1) Candidates and scrutineers are permitted to attend the tabulation of ballots and production of results. The City Clerk shall provide advance notice of the scheduled time and location.
- (2) Before ballots are tabulated the designated election official will produce the zero tape.
- (3) When the Deputy Returning Officer arrives to the designated location, they shall:
 - (a) open the ballot box and remove all ballots; and
 - (b) give the ballots to the designated election official to feed the ballots into the tabulator.

- (4) Should a tabulator return a ballot, the ballot will be re-fed through the tabulator.
- (5) If the tabulator returns the ballot again, the ballot will be placed in a box labelled “for adjudication”.

9. Adjudication of Ballots

- (1) The designated election official will remove ballots from the “for adjudication” box for examination.
- (2) The designated election official will review each ballot for voter intent using, as a guide, the *Adjudication Guidelines* attached as Appendix A.
- (3) If the designated election official concludes that the voter intent is clear, they will prepare a replacement ballot and:
 - (a) write "original" on the original ballot and "replacement" on the replacement ballot with a matching unique ballot number; and
 - (b) display the original and replacement ballot side-by-side for inspection.
- (4) If the designated election official concludes that the voter intent is unclear, the ballot will be displayed for inspection.
- (5) If a candidate or scrutineer objects to the designated election official’s adjudication, the City Clerk or designate, in consultation with legal counsel will:
 - (a) Re-examine the ballot and make a final determination.
 - (b) Depending on their determination, follow the steps set out in 9(3) or (4).
 - (c) Write “candidate or scrutineer objection” on the back of the original ballot and, if there is a replacement ballot, also on the back of the replacement ballot.
- (6) Where the voter intent is clear, the replacement ballot will be fed through the tabulator and the original ballot will be placed in a box labelled “adjudicated ballots – original”.
- (7) Where the voter intent is unclear, the designated election official will re-feed the ballot and press the "Cast" button so the ballot is accepted into the tabulator.

- (8) Where the voter intent is unclear and the tabulator cannot accept the ballot because it is damaged, the designated election official will replicate the unclear marks on a replacement ballot and:
 - (a) write "original" on the original ballot and "replacement" on the replacement ballot with a matching unique ballot number;
 - (b) display the original and replacement ballot side-by-side for inspection; and
 - (c) feed the replacement ballot into the tabulator and press the "Cast" button so the ballot is accepted into the tabulator and place the original ballot in a box labelled "adjudicated ballots – original".

10. Producing Results

- (1) After 8:00 p.m. on election day, when the ballots from institutions have been tabulated, the designated election official shall:
 - (a) close the polls on the tabulator and print the results tape;
 - (b) remove the memory media from the tabulator;
 - (c) post a copy of the results tape for candidates and scrutineers to view; and
 - (d) deliver the results tape and memory media to the City Clerk's designated location and ensure they are securely stored.

11. Related Policies and Procedures

Identification requirements for electors

Date Approved: April 2023