



CORPORATION OF THE
TOWN OF HEARST

**2026 MUNICIPAL AND
SCHOOL BOARD
ELECTIONS**

**PROCEDURE
GUIDELINES
FOR USE OF
VOTE COUNT
TABULATOR**

Should you have any questions regarding the enclosed procedures, please contact the Clerk's Office at 705-362-4341 (1001).

May 22, 2026

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1. DEFINITIONS

In these procedures,

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

“**Auxiliary Compartment**” means the front compartment of the ballot box in the tabulator and where electors’ ballots are temporarily stored in the event of a vote count tabulator fails to operate;

“**Ballot-Marking Pen**” means the designated black ballot-marking pen provided by an election official for the use by a voter to mark the ballot;

“**Blank Ballot**” means a ballot without votes in any of the specified voting spaces. A blank ballot card will be processed in the same manner as a cast ballot.

“**Deputy Returning Officer (DRO)**” means a person appointed under oath by the Clerk pursuant to subsection 15(1) of the Act who shall have such powers and perform such duties at a polling place as may be delegated in writing by the Clerk pursuant to subsection 15(2) of the Act;

“**Designated Election Official**” means any person designated by the Clerk to perform certain election functions. The term “election official” includes, but is not limited to the following: Deputy Returning Officer/Vote Tabulator Operator.

“**Memory Drive**” means a removable memory device that the vote count tabulator uses to store the scanner’s election definition, audit log, and other election-specific information.

“**Secrecy Folder**” means an apparatus in which a ballot can be placed so as to conceal the names of the candidates and the marks on the ballot face, but does expose the initials of the DRO;

“**Substation Poll**” means a voting place where no vote tabulator is provided on-site during voting (Foyer des pionniers long-term care home and Notre-Dame Hospital), thus necessitating the reading of ballots using the vote count tabulator after the close of voting on Voting Day at Place des Arts.

“**Valid Mark**” means a mark made in the designated space to the left of the candidate’s name, using the ballot-marking pen provided by the Deputy Returning Officer; filling in the oval immediately to the left of the candidate’s name will be considered a valid mark;

“**Vote Count Tabulator**” means an apparatus that digitally scans a specified area on the ballots to read the votes and tabulate the results;

“**Vote Tabulator Operator (VTO)**” means a Deputy Returning Officer designated by the Clerk of the Town of Hearst to operate the vote count tabulator at the voting place.

2. APPLICATION OF PROCEDURES

These procedures apply to the municipal and school board elections conducted by the Town of Hearst for which the use of vote counting equipment has been authorized by By-law No. 11-2026 pursuant to section 42 of the *Municipal Elections Act, 1996*.

Any matter not provided for in this procedure shall be dealt with as far as practicable in accordance with the principles of the *Municipal Elections Act, 1996*.

The Clerk may make such minor revisions to the material referenced in this manual as may be necessary prior to the election, including the addition of any omitted administrative or procedural instructions.

3. ELECTION OFFICIALS

The Clerk may appoint election officials for the purposes of these procedures and may designate their titles and duties.

4. BALLOTS

A circular or oval shape will appear on the ballot to the left of each candidate's name for the marking of the ballot.

Instructions provided by the Deputy Returning Officer direct the elector to vote by completely filling in the blank space adjacent to the candidate(s) of their choice.

5. VOTE COUNT TABULATORS

Each voting place shall be equipped with a vote count tabulator, except for the Foyer des pionniers and Notre-Dame Hospital substation polls.

The ballots from substation polls will be tabulated at Place des Arts after the close of voting, on Voting Day.

A backup (spare) vote count tabulator, tested in accordance with subsection 5.2 herein, shall be available at each voting place to ensure the continuity of voting in the event of an emergency or equipment malfunction.

5.1 PROGRAMMING OF VOTE COUNT TABULATOR

The vote count tabulator shall be programmed so that a printed record of the number of votes cast for each candidate can be produced at the end of Voting Day.

The vote count tabulator shall be programmed so that ballots are handled by the vote count tabulator as follows:

- Ballots which the vote count tabulators cannot read (i.e. ballots damaged or defective or that have been marked in a way that the ballot cannot be processed by a vote count tabulator) are returned to the election official.

- Ballots which are marked with overvotes or undervotes, will be returned to the election official giving the option to ACCEPT or REJECT the ballot. IF REJECT is chosen, the ballot will be returned to the voter to verify, repair their vote, spoil their ballot, or for reinsertion and acceptance. IF ACCEPT is chosen, the ballot races not overvoted or considered blank will be accepted and counted.

Note: The only ballots to be returned are those which the vote count tabulator cannot read. No messages identifying “blank” and “over-voted ballots” will be displayed.

5.2 TESTING OF VOTE COUNT TABULATOR

Prior to Voting Day, the Clerk shall test the equipment and ballots to ensure that they will accurately count the votes cast for all candidates that are marked with a valid mark in the designated area.

When testing the vote count 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 count tabulator.

There are several “testing” phases before the voting equipment is ready for use at the advance vote or for Voting Day.

5.2.1 Testing Vote Count Tabulators (Diagnostic Testing)

- This test will ensure that the battery charge, time settings, LCD display, system memory, printer, ports, and scanners are all functioning properly.

5.2.2 Testing Memory Devices

- This will test every memory device to ensure it is not defective and can only read acceptable ballot faces.

5.2.3 Testing Ballots

- Once the ballots have been printed and received from the printing house, a test deck must be prepared and tested on each machine. A test deck must include a predetermined number of every type of ballot used, and must contain blank ballots, over-voted, under-voted and properly completed ballots. The tabulation results must then be compared with the pre-audited results.
- If the Clerk identifies an error during testing, the cause of the error shall be determined and corrected, and the test repeated until the tabulation is error-free.

5.2.4 Test Documentation

- A complete record of all testing phases must be retained.
- In the event that the competency of the voting equipment is questioned, all printouts, reports, and test decks shall be retained to verify the actions taken.

6. CANDIDATES/SCRUTINEERS

- Candidates may appoint scrutineers, in writing, to represent them at the voting place.
- Scrutineers must show their written appointment to election officials upon request.

- The Deputy Returning Officer is responsible for the conduct of the voting place and no candidate or scrutineer has any right to interfere with the Deputy Returning Officer in the discharge of their duties.
- During the fifteen (15) minutes before the opening of the voting place, the scrutineers who are entitled to be present in a voting location during voting hours are entitled to inspect the ballots and all other papers, forms and documents relating to the vote but not so to delay the timely opening of the voting place.
- A candidate may have one scrutineer at each ballot issuing location and each vote count tabulator at the voting place, save and except for the hospital/long-term care home substation polls, where only one scrutineer per candidate shall be permitted.
- Candidates who enter the voting place are considered to be scrutineers. The number of scrutineers who may be present must be reduced by one while the candidate who appointed them is present in the voting place. If the candidate's presence means the number of scrutineers that may be present will be exceeded, then one scrutineer must leave the voting place.
- Scrutineers may place their seal on the ballot box immediately before the opening of the voting place, so that ballots can be deposited in the box and cannot be withdrawn without breaking the seal. The seal may contain the scrutineer's initials to be identifiable to the candidate/scrutineer, but must not contain the candidate's name or imply campaign literature.
- Sitting at the tables provided for election officials is not permitted.
- Scrutineers must not attempt to directly or indirectly influence how an elector votes.
- Scrutineers are not allowed to enter a voting compartment while occupied by an elector, or to be in a position to see how the elector marks their ballots.
- Scrutineers shall not display any campaign material or literature in a voting location or on themselves.
- To protect the secrecy of the vote, scrutineers will not be able to examine the ballots or to object to ballots or to the counting of votes in a ballot as provided for in clauses 47(5)(e) and 47(5)(f) and subsection 54(3) of the Act, as the ballots are being fed into the vote count tabulator by the election official.
- Scrutineers may place their seal with their initials on the ballot box immediately after the close of voting on each day of an advance vote, so that ballots cannot be deposited or withdrawn without breaking the seal.
- Scrutineers may place their seal with their initials on the ballot box after the counting of the votes on Voting Day when the Deputy Returning Officer seals the box, so that ballots cannot be deposited or withdrawn without breaking the seal.

7. PROCEDURES AT THE VOTING PLACE

- The dates, hours and locations for advanced voting shall be established by the Clerk and advertised to the public.
- On Voting Day, the Place des Arts voting place officially opens to receiving the public to vote at 9:00 a.m., and closes at 8:00 p.m.

- The Foyer des pionniers and Notre-Dame Hospital substation polls shall operate during reduced hours on Voting Day, as determined by the Clerk.
- If a vote count tabulator is to be used in the voting place:
 - The Vote Tabulator Operator (VTO) or election official shall, in the presence of all scrutineers present, cause the vote count tabulator to print a copy of all totals in its memory before opening of the voting place confirming “0” totals;
 - If the totals are zero for all candidates, the VTO or election official shall ensure that the zero printout remains affixed to the vote count tabulator until the results are printed by the vote count tabulator after the close of the vote. Election officials shall sign the zero results tape, and any scrutineer present may also sign the tape, if they so desire.
 - If the totals are not zero for all candidates, the VTO or election official shall immediately notify the Clerk and shall conduct the vote using the auxiliary back-up compartment of the ballot box until the vote count tabulator is made operational or the back-up vote count tabulator is placed into service, or until the Clerk makes such other arrangements as he/she deems expedient.
- As each elector arrives at the ballot issuing table, the Deputy Returning Officer (DRO) verifies the voter’s identity and verifies that the name of the person is entered on the voters’ list. The DRO shall, at the same time as the ballot is delivered, provide a secrecy folder to the voter and briefly explain the voting procedure.
- Upon receiving the ballot, the voter shall:
 - Proceed to the voting compartment; and
 - Using the ballot-marking pen provided, vote by filling in the oval to the left of the candidate(s) of their choice.

NOTE: Only one person is permitted in a voting compartment at any time, unless they are assisting a voter. **A SWORN DECLARATION IS REQUIRED BEFORE THEY CAN ASSIST THE ELECTOR.**

- After marking the ballot in the voting compartment, the voter shall:
 - Insert the ballot into the secrecy folder, face down, with the Deputy Returning Officer’s or other designated election official’s initials showing;
 - Leave the voting compartment without delay;
 - Deliver the secrecy folder containing the ballot to the VTO or election official.
- The VTO or election official shall, in the presence of the voter and without removing the ballot from the secrecy folder, verify the initials of the Deputy Returning Officer or other designated election official, and:
 - If a vote count tabulator is available in the voting place, insert the ballot facing down, with the initials of the DRO or other designated election official showing, into the feed area of the vote count tabulator until the vote count tabulator draws the ballot from the secrecy folder, in full view of the voter. The public count display will increase incrementally with each voter; OR

- If a vote count tabulator is not available in the voting place (substation polls), insert the ballot face down, with the initials of the DRO or other designated election official showing, directly into the ballot box from the secrecy folder, in full view of the voter.
- A person whose ballot has been placed in the ballot box is deemed to have voted.

7.1 PROCEDURES IN THE EVENT OF EQUIPMENT MALFUNCTION DURING THE VOTING PROCESS

In the event that a vote count tabulator malfunctions during the voting process and the tabulator memory device is still functional, it may be necessary for an adjustment or replacement of the vote count tabulator. If this is necessary, the preferred course of action is to substitute the faulty equipment with a spare vote count tabulator.

The following steps shall be performed in order to smoothly and quickly replace the faulty equipment and resume the regular voting activities:

- The Deputy Returning Officer or designated election official shall remove the memory device from the malfunctioning vote count tabulator and insert the flash drive into the replacement vote count tabulator.
- The Deputy Returning Officer or designated election official shall turn on the replacement vote count tabulator and proceed to print, verify, and sign the zero totals report, as was done prior to the opening of the vote. The report tape shall be attached to the vote count tabulator. After the report is printed and signed, the DRO or election official shall press the DON'T CLOSE CONTINUE VOTING button on the tabulator touch screen which will then bring up the blue welcome screen. Verify the public count agrees with the last known public count from the malfunctioning tabulator. The existing ballot box continues to be used to accept ballots that are to be fed through the replacement vote count tabulator for the remainder of the day.
- At no time shall an elector be prevented from casting their ballot. Until the vote count tabulator has been properly replaced, ballots shall be manually inserted into the auxiliary compartment of the ballot box. Once the back-up vote count tabulator is in service, ballots shall again be inserted into the feed area of the tabulator. After the close of voting, the ballots from the auxiliary compartment shall be retrieved and fed through the vote count tabulator.

In the event that a memory device malfunctions after it has been used to open and tabulate ballots, the Deputy Returning Officer or designated election official shall immediately contact the Clerk's Office. Once a replacement memory device has been provided, the DRO or designated election official shall:

- Verify that the vote count tabulator and replacement memory device are operational, seal the ballot box containing any ballots which were previously processed or inserted into the auxiliary compartment during the "equipment swap" and set it aside in a secure location until the close of the poll.
- A new, empty ballot box is then used to accept ballots that are to be fed through the vote count tabulator with the new memory device for the remainder of the day.
- The Deputy Returning Officer or designated election official shall turn on the vote count tabulator and proceed to print, verify and sign the zero totals report, as was done prior to the opening of the poll.
- After the close of voting, the ballots from the original ballot box and the auxiliary compartment (if any), shall be retrieved and fed through the vote count tabulator.

7.2 PROCEDURES IN THE EVENT OF POWER FAILURE

If power fails, the VTO shall immediately turn off the vote count tabulator and begin manually feeding the ballots into the auxiliary compartment of the ballot box;

When power returns, the VTO shall revert back to feeding the ballots through the vote count tabulator and shall leave the ballots in the auxiliary compartment. After 8:00 p.m., when the polls close, the VTO or designated election official shall read the ballots in the auxiliary compartment using the vote count tabulator.

If power has not returned by 8:00 p.m., at the close of the polls, the VTO or designated election official shall turn the vote count tabulator on and utilize the battery power to read all ballots in the auxiliary compartment and run the results tape.

Note: The tabulator can function for up to 6 hours on its backup battery. The above procedures will, in the event of a lengthy power failure, ensure there is sufficient battery charge to permit the tabulation of results after 8:00 p.m. at the close of the polls.

7.3 PROCEDURES IN THE EVENT THE VOTE COUNT TABULATOR CANNOT READ THE BALLOT

If a ballot is returned by the vote count tabulator and the voter who delivered the ballot is present, the VTO shall advise the voter that the tabulator does not recognize the ballot or that it is invalid, and:

- The VTO shall reinsert the ballot into the feed area of the vote count tabulator. If the vote count tabulator again rejects the ballot, the VTO shall refer the voter to the issuing Deputy Returning Officer and the DRO shall write “defective” on the back of the ballot, place it in the “cancelled” ballot envelope, and deliver another ballot to the voter, all while maintaining the secrecy of the vote. The replacement ballot will then be re-inserted into the ballot feed of the vote count tabulator.
- If the elector declines to accept another ballot, the VTO shall mark the ballot “declined” and insert the original ballot into the “declined” envelope.

If the elector who delivered the ballot is not present, the VTO shall reinsert the ballot into the feed area of the vote count tabulator. If the vote count tabulator again rejects the ballot, the VTO shall:

- Write “defective” on the back of the ballot and insert the ballot into the auxiliary compartment of the ballot box.
- After the close of the voting, the Deputy Returning Officer or designated election official shall for any or all defective ballots in the auxiliary compartment, and in full view of any candidates or scrutineers present, mark a new ballot with the same marks contained in the designated voting spaces on the defective ballot, and the replacement ballot shall be clearly labeled “replacement” and given a serial number (001, 002, 000) which shall also be recorded on the cancelled ballot. The defective ballot shall be inserted into the “cancelled” ballot envelope, and the Deputy Returning Officer or designated election official shall substitute the replacement ballot for the cancelled ballot and feed the replacement ballot into the vote count tabulator. If the vote tabulator is not able to process the replacement ballot, this fact shall be recorded on the defective ballot.

Where a ballot from a substation/retirement home cannot be read on Voting Day, the Deputy Returning Officer or designated election official shall repeat the steps set out in the above paragraph and note the substation on the back of the defective ballot.

8. SPECIAL PROCEDURES FOR ADVANCE VOTING

The advance polls shall be treated as one continuous poll for vote-counting purposes. The Clerk shall provide adequate security and safekeeping of the vote count tabulator between advance poll dates.

The total of the votes at an advance poll shall not be printed and the procedures under Section 9 shall not be followed until after 8:00 p.m. on Voting Day.

On the first day of advance voting, the VTO shall follow the opening procedures. The VTO shall, after the close of each day of advance voting, check the auxiliary compartment of the ballot box for ballots to ensure all ballots have been processed, and shall immediately:

- In conjunction with the DRO, note the total number of ballots counted (voters) displayed by the vote count tabulator, turn the tabulator off and place it in the carrying case provided.
- Complete the Statement of Ballot Account (while ensuring that the count balances out with the amount of ballots received from the Clerk) and place it in the appropriate envelope;
- Keep the vote count tabulator and statement at Town Hall where the Clerk will provide for their secure storage in the vault.

At least one hour before the opening of the next advance poll, the DRO shall obtain the vote count tabulator from its secure storage and shall proceed with the next advance voting. Prior to the start of voting, the DRO shall verify that the number of voters on the machine is the same as at close of the immediately prior advance poll.

At the completion of the final advance poll, the Clerk shall, after closing the poll, store the vote count tabulator in the Town Hall vault, where it shall remain until Voting Day.

At the close of each day of advance voting, the Deputy Returning Officer shall:

- Complete a Statement of Ballot Account of the number of:
 - Ballots received from the Clerk;
 - Ballots counted by the vote count tabulator;
 - Defective/cancelled ballots; and
 - Unused ballots.
- Seal the ballot transfer container; and
- Deliver the ballot transfer container, completed statement and other election materials to the Clerk.

On Voting Day, the Clerk shall retrieve the sealed advance vote ballot box and memory card from the Town Hall vault and bring it to the Place des Arts voting place to print the advance votes report once voting has ended.

A scrutineer or candidate may be present for the printing of the advance poll results.

9. PROCEDURES FOR CLOSE OF VOTING ON VOTING DAY

Voting closes at 8:00 p.m. on Voting Day. Only the electors remaining in the voting place at 8:00 p.m. may continue to cast their ballots. The interior doors to the voting place shall be secured and entrance restricted to election staff and those remaining in the voting place at the close. No additional individuals shall be permitted unless they are election staff.

At the close of voting on Voting Day, each Deputy Returning Officer shall complete a Statement of Ballot Account of the number of:

- Ballots received from the Clerk;
- Total ballots remitted;
- Defective/cancelled ballots; and
- Unused ballots.

The DRO or designated election official shall, immediately after the close of the voting:

- Feed into the vote count tabulator all ballots received from a substation poll, if applicable;
- Check the auxiliary compartment of the ballot box and ensure that all ballots are processed in accordance with Section 7.3;
- Look at the public display count on the vote count tabulator and write down the number of ballots processed through the unit. The number will later be recorded on the statement of results;
- Obtain a printed report of the votes given for each candidate;
- Sign the certificate portion of the printed report along with any candidates or scrutineers who are present and wish to sign;
- Remove the printed report from the vote count tabulator and deliver the original report complete with the signed zero total report to the Clerk;
- Provide printouts for any candidate or scrutineer upon request, and as approved by the Clerk;
- Place the copy of the printed record in the statement of results envelope;
- Place a duplicate copy of the statement of results and leave all ballots that have been counted by the vote count tabulator inside the tabulator ballot box;
- Seal the tabulator ballot box to ensure the box cannot be re-opened without breaking the seal; and
- Store the tabulator ballot box inside the Town Hall vault.

9.1 PROCEDURES FOR CLOSE OF VOTING AT SUBSTATION POLLS

Voting at the Notre-Dame Hospital and Foyer des pionniers substation polls shall take place on Voting Day without a vote count tabulator. The Deputy Returning Officer shall, immediately after the close of voting or early voting, as the case may be, seal the ballot box in such a manner that it cannot be opened, or any ballots be deposited in it without breaking the seal.

The ballot box shall be conveyed to the Voting Place, and all votes cast shall be read at the close of Voting Day by means of the vote count tabulator.

10. PROCEDURES IN THE EVENT OF TABULATOR FAILURE AT CLOSE OF POLL

If a vote count tabulator has been used to tabulate votes cast in a voting place but the tabulation of the votes cannot be completed because the vote count tabulator is not operating or cannot be made to operate within a reasonable time following the close of the voting, the Deputy Returning Officer or designated election official shall, after the close of the voting and after determining the tabulation cannot be completed:

- Seal the ballot box in such a manner that it cannot be opened, or any ballots be deposited in it without breaking the seal;
- Secure the vote count tabulator against receiving any more ballots by placing a seal over the ballot intake slot;
- Sign the seals and permit any candidate or scrutineer present to sign the seals also;
- The DRO shall advise the Clerk the vote count tabulator cannot count the votes and seek any further instructions;
- The Clerk may elect to proceed to a manual count if equipment failure persists beyond a reasonable time.
- The Clerk shall, at the completion of the count, retain the programs, memory devices, test materials and ballots in the same manner as is provided for in the Act for the keeping of election records.

11. RECOUNTS

Recounts are subject to the provisions of the *Municipal Elections Act, 1996*. If a recount of votes is held, the votes shall be counted in the same manner as the votes were counted on Voting Day.

A vote count tabulator shall be tested before a recount, in the manner described in subsection 5.2 herein.

The Clerk shall develop practices and procedure for the recount and subject to an Order under subsection 60(3) of the Act, the Clerk may provide therein for any matter that in her/his opinion is necessary or desirable for conducting the recount. A copy of the recount procedures shall be provided to each candidate affected by the recount in advance of the recount.

The Clerk shall attend the recount and bring the supply carriers, ballot transfer containers, vote count tabulators, statement of results envelopes and all documents that, in the opinion of the Clerk, are relevant to the recount.

If a vote count tabulator is used for a recount, the recount is limited to the ballots tabulated by a vote count tabulator during the advance voting and on Voting Day.

Subject to an order of a Judge under subsection 60(3) of the *Municipal Elections Act*, if a vote count tabulator is used for a recount, those persons referred to in paragraph 2, 3 or 4 of Subsection 61(1) will be unable to examine the ballots or to dispute the validity of a ballot or the counting of votes in a ballot as provided for in subsection 61(5) of the Act, as the ballots are being fed into the vote count tabulators by the election officials.