

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 53-2016

Being a By-law to authorize vote by mail and the use of optical scanning vote tabulators for municipal elections in the Town of Kingsville

WHEREAS section 42 of the *Municipal Elections Act, 1996*, as amended, provides that a Municipal Council may pass a by-law authorizing alternative voting methods;

AND WHEREAS Section 42 of the *Municipal Elections Act, 1996*, as amended, authorizes the use of optical scanning tabulators for the purpose of counting votes for municipal elections;

AND WHEREAS Council deems it appropriate and in the public interest to pass a by-law authorizing the use of vote by mail;

AND WHEREAS Council deems it appropriate and in the public interest to pass a by-law authorizing the use of optical scanning tabulators;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That the alternative voting method of "Vote by Mail" be authorized for use in municipal elections.
2. That optical scanning vote tabulators be authorized for use for the purpose of counting votes for municipal elections.
3. A Vote by Mail Kit will be provided to every person who qualifies to be an elector. The Kit will either be mailed or directly provided to each qualified elector.
4. The Vote by Mail Kit shall consist of:
 - A voting instruction sheet
 - A composite ballot
 - An inner ballot envelope
 - A security slip
 - An outer return envelope
 - Such other necessary material as the Municipal Clerk determines
5. Ballot Return Station(s) shall be established at one or more locations as determined by Council or the Clerk.
6. A Ballot Return Station means a voting place under the supervision of a Deputy Returning Officer where electors, who prefer to deliver or have delivered their completed ballots, may deposit their ballots directly into the care of the Municipal Clerk, or designate, rather than forwarding their ballots by mail.
7. Every elector has the responsibility of completing the ballots in accordance with the *Municipal Elections Act, 1996*, as amended, and the procedures authorized by this By-law and returning the completed ballots to the Municipal Clerk, or designate, by mail or by deposit at a Ballot Return Station on or before 8:00 p.m. on Voting Day.
8. No proxy voting provisions or advance voting provisions other than the Ballot Return Station is applicable at Municipal Elections conducted in accordance with this By-law.

9. The Municipal Clerk shall prepare procedures and rules to conduct a Vote by Mail municipal election and shall provide these procedures and rules to each candidate in accordance with the *Municipal Elections Act, 1996*.
10. Any person, corporation, or trade union guilty of corrupt practices or contravening the provisions of the *Municipal Elections Act, 1996*, as amended, or the procedures and rules established by paragraph 9 of this By-law may be prosecuted pursuant to the provisions of the Municipal Elections act, 1996, as amended.
11. The Mayor and Clerk are hereby authorized to sign the necessary agreement(s) to provide for a Vote by Mail election.
12. This by-law shall come into force and take effect from the date of passing.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 24th day of April, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo