

NO: R095

COUNCIL DATE: May 9, 2022

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **May 5, 2022**

FROM: **General Manager, Corporate Services**

FILE: **4200-01**

SUBJECT: **2022 Election Preparation and Proposed Bylaw Changes**

RECOMMENDATION

The Corporate Services Department recommend that Council:

1. Receive this report for information;
2. Approve amendments to “Surrey Election Procedures By-law, 2011, No. 17393” (the “Election Procedure Bylaw”) as documented in Appendix “I” of this report; and
3. Authorize the City Clerk to bring forward the necessary amendment by-law for the required readings.

INTENT

The purpose of this report is to provide Council with a broad overview of the administrative and operational efforts engaged towards the 2022 General Local Election and School Trustee Election (the "Election"), and to seek Council's approval for amendments to the Election Procedure Bylaw.

BACKGROUND

In advance of the 2022 Election, the City created the 2022 Election Project Team (the “Project Team”). The Project Team was established in October 2021 and includes staff from Legislative Services and the IT Division. In addition, staff in the Marketing Division and Purchasing Division support the Project Team and staff from other areas of the organization have been seconded to support the Project Team. Further to corporate report R015; 2022, at the January 31, 2022 Regular Council Public Hearing meeting Council appointed the Chief Election Officer and Deputy Chief Election Officer.

Based on lessons learned from the 2018 Election and the recent Covid-19 pandemic, the following key objectives were established for the 2022 Election:

1. Ensure safe and accessible voting opportunities;
2. Enhance voting efficiency through technology;
3. Expand mail in ballot voting; and
4. Raise awareness of the importance of voting.

In June 2019, Council approved amendments to the “Surrey Sign Bylaw, 1999, By-Law No. 13656” prohibiting the placement of Election signs on a highway and public lands but permitting these signs to be placed solely on private property provided that the property owner has provided consent to have the sign erected on their property. The bylaw includes restrictions regarding signage size, requirement for removal 14 days following an election, and a stipulation that the sign cannot interfere with sightlines.

The above bylaw was in effect during the Federal Elections in the fall of 2019 and 2021, as well as for the Provincial Election in the fall of 2020. In all cases, adherence to the City’s sign bylaw was high with minimal issues encountered by the City’s Bylaw Services staff.

In September 2021 the bylaw was further amended to make clear that Election signs cannot be installed until after the Election has been called (typically 45 days before the general Civic Election day) or after the dropping of the writ in the case of a Provincial or Federal Election.

DISCUSSION

Projected Voter Turn Out

As of April 2022, approximately 342,400 Surrey citizens will be registered with Elections BC, representing an increase of 20,400 eligible voters since 2018. In 2018, 110,920 Surrey citizens voted in the Election representing a voter turnout of 34.4%. Table 1 below reflects the estimated number of eligible Surrey voters expected for the 2022 Election including an estimated projected voter turnout.

Table 1: Eligible Voters in Surrey from 2011 to 2018 including 2022 projections

Category	2011	2014	2018	2022 Projected
Population:	468,250	498,720	558,300	580,360
Registered Voters (%):	279,268 (59.6%)	289,382 (58%)	322,000 (57.7%)	342,412 (59%)
Voter Turnout (%)	69,700 (25.0%)	105,000 (36.4%)	110,920 (34.4%)	123,268 (36%)

While voter turnout is estimated to be 36% for the 2022 Election, the actual processing capacity is designed to easily accommodate more than double the estimated turnout. A significantly higher than estimated voter turnout would simply translate to longer voter wait times, however all voters can be accommodated.

Voting Locations

With the population growth in Surrey since the 2018 Election, it was determined by the Project Team to increase capacity and efficiency at voting locations throughout the City. Accordingly, based on an analysis of the number of voters that turned out at each voting location for the 2018 Elections, it was determined that voting locations with large gymnasiums are most effective with respect to accommodating additional and newer technology that will increase voter capacity while duly increasing efficiencies by reducing the time required for voters to get in and out of the voting station. A list of voting locations selected by the Project team is provided as Appendix “II”.

Voting by Appointment

A pilot program for voting by appointment will be underway during advance voting. This opportunity will be available to all eligible voters and provides an efficient voting experience that

is less congested, allows more time for voters who require assistance through the voting process and will be more accessible to voters who have difficulty standing for an extended period of time. Three of the six advance voting locations will be set up to allow eligible voters to make an appointment to vote. Voting by appointment will be available at Guildford Recreation Centre, Fleetwood Community Centre and Cloverdale Recreation Centre. These locations will also accommodate drop-in voting in a separate room.

Engagement Strategy

A number of approaches were engaged to promote the 2018 Election that will be enhanced for the 2022 Election. These include, but are not limited to the following:

- Community outreach to encourage citizens to apply for Election Workers positions;
- Presentations in Canadian Citizenship ceremonies to provide information about municipal elections to new citizens eligible to vote;
- Advertisements in various mediums to both educate and provide awareness of election information to Surrey citizens;
- The City of Surrey's Election Website with interactive features including voting locations wait-time maps, a Voters List Online Lookup Tool, an email reminder and a countdown clock; and
- Social Media will be used to promote recruitment and provide information on candidate nomination packages, as well as information on the advance voting opportunities, election days voting opportunities and the new mail in ballot voting opportunity discussed in the subsequent section of this report.

Throughout the Election planning process, consideration has been given to address the heightened concern for health and safety and the possibility of a resurgence of COVID cases in the fall. The Project Team will ensure that cleaning measures are in place throughout the day at voting locations for safe and accessible voting. Information on the City's safety precautions will also be provided to the public via the City's website and social media channels.

Mail in Ballot Voting

As per the existing Surrey Elections Bylaw, mail in ballot voting is currently limited to voters with special needs which includes residents in care facilities and hospitalized individuals (during the voting period) who may not be able to physically participate by visiting a voting station. For the 2018 Elections, approximately 700 eligible voters that qualified under the Surrey Elections Bylaw to vote via mail in ballot took advantage of this process.

During the pandemic, Provincial and Federal elections, held respectively in the fall of 2020 and the fall of 2021, allowed for expanded mail in ballot opportunities for all eligible voters and the uptake was significant. Based on the number of Surrey voters who participated in the mail in opportunity provided in the 2020 Provincial Election and the 2021 Federal election, the Project Team estimates that approximately 17,000 Surrey voters would take advantage of voting via mail in ballot. Accordingly, staff recommend updates to the Surrey Elections Bylaw to expand mail in ballot opportunities for all eligible voters. The amendments also include refined procedures for processing and counting mail in ballots.

AMENDMENTS TO THE BYLAW

Several bylaw changes are proposed to increase accessibility for voting and to enhance the voting experience. Staff propose a change to the required advance voting day so that it is closer to general voting day, to expand the opportunity for mail in ballot voting and to remove special voting opportunities due to the expanded mail in ballot opportunity. Appendix "I" includes the proposed changes to the bylaw.

Advance Voting Day

The *Local Government Act* ("LGA") requires that there be two advance voting days prior to the general voting day. One date is set out in the LGA as ten days before the general voting day. Ten days prior to the October 15th, 2022 general voting day falls on Wednesday October 5th, 2022. Under the LGA, municipalities have the authority to select the second advance voting date, which is currently set out in the Surrey Elections Bylaw as the fourteenth day before the general voting day. Accordingly, 14 days prior to the October 15th, 2022 general voting day will fall on Saturday October 2nd, 2022.

It is recommended that the second voting day be moved to Wednesday October 12th, 2022 as this date will be much closer (three days away) from the general voting day. This change is expected to increase voter turnout given its proximity to the general voting day. Although there are two required advance voting days, as in past elections and as provided previously in this report, advance voting will be offered on four different dates at six locations and includes both weekend and weekday opportunities. Accordingly, advanced voting dates are proposed as follows:

1. Wednesday, October 5, 2022
2. Saturday, October 8, 2022
3. Sunday, October 9, 2022
4. Wednesday, October 12, 2022

Advance voting is scheduled to take place from 8:00 am to 8:00 pm at the following six locations:

1. Princess Margaret Secondary
2. Semiahmoo Secondary
3. Chuck Bailey Recreation Centre
4. Guildford Recreation Centre
5. Fleetwood Community Centre
6. Cloverdale Recreation Centre

Special Voting

Special voting opportunities were established to allow residents in care facilities and individuals in the hospital during voting days to be able to vote. Typically, election officials went room by room to individuals who are eligible and indicated a desire to vote. With the enhanced concern for health and safety and the ability for expanded mail in ballot voting, it is recommended that special voting opportunities not be established in hospital settings but rather mail in ballot voting be used. This will provide accessibility for voting while ensuring the safety of voters in hospital and care facilities. As done in the past, staff will work with the administration of these facilities to identify eligible voters wishing to vote to facilitate this process.

Housekeeping Amendments

In addition to the above, housekeeping amendments are also included to ensure consistency, clarity, and functionality in the language of the bylaw.

Legal Services Review

Legal Services has reviewed this report and has no concerns.

CONCLUSION

This report provides an update regarding the preparations that are underway for the Election and recommends changes to the Surrey Election Procedures By-law, 2011, No. 17393.

Rob Costanzo
General Manager, Corporate Services

Appendix "I": Proposed Amendments to "Surrey Election Procedures By-law, 2011, No. 17393"
Appendix "II": Voting Locations

CITY OF SURREY

BY-LAW NO. 17393

A By-law to provide for the procedures for
the conduct of general local government elections
and other voting

As amended by By-law No. 18242, 07/07/14; 19600, 25/06/18

THIS IS A CONSOLIDATED BY-LAW PREPARED BY THE CITY OF SURREY FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BY-LAW PROVISIONS.

WHEREAS the *Local Government Act* provides that the Council of the City of Surrey may, by bylaw, determine various procedures and requirements to be applied to local government elections and other voting held in Surrey;

AND WHEREAS Council wishes to establish voting procedures and requirements under that authority:

NOW THEREFORE the Council of City of Surrey in open meeting assembled, ENACTS AS FOLLOWS:

PART 1
INTERPRETATION

Citation

- 1.1 This By-law may be cited for all purposes as "Surrey Election Procedures By-law, 2011, No. 17393"

Repeal

- 1.2 The following by-laws are hereby repealed:

"Automated Vote Counting System Authorization and Procedure By-law, 1996, No. 12858";
"Surrey Elections (List of Electors) By-law, 2008, No. 16682";
"Advance Voting Opportunities Establishment By-law, 2008, No. 16683";
"Determination of Results by Lot if Tie Vote After Judicial Recount By-law, 2008, No. 16684";
"City of Surrey Mail Ballot Authorization and Procedure By-law, 2008, No. 16685";
"Surrey Voting Divisions Establishment By-law, 2008, No. 16686";
"Special Voting Opportunities Establishment By-law, 2008, No. 16687"; and
"Surrey Access to Campaign Financing Documents By-law, 2008, No. 16688".

Definitions

1.3 In this By-law, unless the context requires otherwise:

"**Acceptable Mark**" means a filled in oval which the vote tabulating unit is able to identify, which has been made by an elector in the space provided on the ballot opposite the name of any candidate or opposite ~~a choice for a question on the ballot either "yes" or "no" on any referendum question.~~

~~"**Applicant**" means an elector who wants to vote by mail and makes a request for a mail ballot.~~

~~"**Authorized Person**" means a person that the applicant has authorized, on the applicant's behalf, to:~~

~~(a) pick up a mail ballot package; or~~

~~(b) drop off a completed mail ballot package.~~

"**Automated Vote Counting System**" means a system that counts and records votes and processes and stores election results, which is comprised of:

(a) a number of ballot scan vote tabulating units, each of which rests on a two compartment ballot box, one compartment of which is for voted ballots and returned ballots which have been reinserted using the ballot override procedure, and the other ~~of which is an emergency ballot compartment for the temporary storing of voted ballots during such time as the vote tabulating unit is not functioning;~~

(b) a number of portable ballot boxes into which voted ballots are deposited where a vote tabulating unit is not being used, for counting after the close of voting on general voting day; and

(c) a ~~data storage device~~ ~~computerized system specifically designed for the accumulation of the data generated by each vote tabulating unit.~~

"**Ballot**" means a single automated ballot card designed for use in an automated vote counting system, which shows:

(a) the names of all of the candidates for each of the offices ~~to be filled of~~ ~~Mayor, Councillor, and School Trustee;~~ and

(b) all of the choices on all of the other voting questions on which the opinion of, or assent of, the electors is sought.

"**Ballot Return Override Procedure**" means the use, by an election official, of a device on a vote tabulating unit, which causes the unit to accept a returned ballot.

“City” means the City of Surrey.

“Data Storage Device” means a device which plugs into the vote tabulating unit and into which is pre-programmed;

- (a) the names of all of the candidates for each of the offices to be filled of Mayor, Councillor, and, School Trustee; and
- (b) all of the choices for each question on the ballot the alternatives of "yes" and "no" for each referendum question;

and ~~which a mechanism to~~ records and retains information on the number of acceptable marks made for each.

“Election Headquarters” means Surrey City Hall, 13450 - 104 Avenue, Surrey, BC, or other location as designated by the Chief Election Officer.

“Elector” means a resident elector or non-resident property elector of the City as defined under the *Local Government Act*.

“Emergency Ballot Compartment” means one of two separate compartments in the ballot box under each vote tabulating unit into which voted ballots are temporarily deposited in the event that the unit ceases to function.

“General Local Election” means the election held for the Mayor and all, Councillors of the City of Surrey and School Trustees for School District No. 36, referred to in Section 52 of the Local Government Act, of the City of Surrey.

“General Voting Day” means:

- (a) for a general local election, the date set under Section 52 of the Local Government Act; 81(1) of the Community Charter, S.B.C 2003, Chap. 26;
- (b) for other elections, the date set under Sections 54(5), 55(1)(a) or 152(5) of the *Local Government Act*;
- (c) for other voting, the date set under Section 174 of the *Local Government Act*.

“Other Voting” means voting on a matter referred to in Section 170 of the *Local Government Act*.

“Portable Ballot Box” means a ballot box which is used at a voting place in the election, where a vote tabulating unit is not being used.

“Register of Mail Ballots” means the mail ballot voting records that the Chief Election Officer must keep in order to address any challenges to an elector's right to vote.

"**Register Tape**" means the printed record generated from a vote tabulating unit at the close of voting on general voting day, ~~and for any by-elections,~~ which shows the number of votes for each candidate for each of the offices ~~to be filled, of Mayor, Councillor, and School Trustee,~~ and the number of votes for each of the choices for each question on the ballot and against each referendum question.

"**Returned Ballot**" means a voted ballot which was inserted into the vote tabulating unit by the elector, but which was not accepted and which was returned to the elector with an explanation of the ballot marking error which caused the ballot not to be accepted.

"**Secrecy Folder**" means an open-ended folder or envelope used to cover ballots to conceal the choices made by each elector.

"Vote Tabulating Unit" means a device into which voted ballots are inserted and which scans each ballot and records the number of votes for each candidate and for each of the choices for each question on the ballot.

Severability

- 1.4 If any portion of this By-law is held to be invalid by a Court of competent jurisdiction, it is Council's intention that such invalidity not affect the validity of the remaining portions of this By-law.

PART 2

VOTING DIVISION ESTABLISHMENT

- 2.1 For a general local election and for a by-election one municipal voting division is established, namely all property within the City of Surrey as described in Section 2 of letters patent for the City of Surrey dated September 11, 1993.

PART 3

LIST OF ELECTORS

- 3.1 In accordance with Section 76 of the *Local Government Act*, ~~the register of resident electors for the City will be~~ the most current available provincial list of voters prepared under the *Election Act* of British Columbia, becomes the register of resident electors on the 52nd day before ~~existing no later than 52 days prior to the date of the~~ general voting day.
- 3.2 Electors not appearing on the provincial list of voters may register at the time of attendance at a voting opportunity in accordance with the requirements of Sections 68, 72 and 73 of the *Local Government Act*.

PART 4

ADVANCE VOTING OPPORTUNITIES

Required Advance Voting Opportunities

- 4.1 In addition to the advance voting opportunity established by Section 107(1) of the *Local Government Act*, held on the tenth ~~10th~~-day (Wednesday) before general voting day, the second required advance voting day ~~for a general local election or by-election~~ shall be held on the third ~~14th~~ day (~~Wednesday~~Saturday) before ~~the~~ general voting day.

Additional Advance Voting Opportunities

- 4.2 The Chief Election Officer is authorized to establish additional advance voting opportunities for each election or other voting, to be held in advance of ~~the~~ general voting day and subject to the *Local Government Act*, to designate the voting places and establish the date and voting hours for these additional advance voting opportunities.
- ~~4.3 Voting hours for the additional advance voting opportunities will be determined by the Chief Election Officer.~~

PART 5 SPECIAL VOTING OPPORTUNITIES

- ~~Deleted 5.1 — In order to give voters who may otherwise be unable to vote an opportunity to do so, due to a disability and/or restricted mobility, special voting opportunities will be conducted for facilities situated in the City which provide acute, intermediate and/or extended care services for eligible City electors.~~
- ~~5.2 — The Chief Election Officer is authorized to identify acute, intermediate and/or extended care facilities located in the City at which a special voting opportunity is available and to establish the date, voting hours and place where the special voting opportunity is to be conducted.~~
- ~~5.3 — Special Voting Opportunities apply only to residents and patients of the facilities identified by the Chief Election Officer and only to their voting at the facility at which they are a resident or patient.~~
- ~~5.4 — The number of candidates' representatives who may be present at a special voting opportunity is limited to one.~~

PART 6 MAIL BALLOT VOTING

Authorization

- 6.1 Voting by mail ballot and elector registration by mail in conjunction with mail ballot voting are authorized by this By-law.
- 6.2 The Chief Election Officer may establish the time limits in relation to voting by mail. The only electors who may vote by mail ballot are:

- ~~(a) persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity; and~~
- ~~(b) persons who expect to be absent from the City on general voting day and at the times of all advance voting opportunities.~~

Mail Ballot Application Procedures

- 6.3 ~~An Applicant shall apply to vote by mail ballot by giving their name and address to the Chief Election Officer during the period established by the Chief Election Officer in the form prescribed by the Chief Election Officer. An elector who wishes to vote by mail ballot must submit a request to the Chief Election Officer, using the form, including a declaration by the elector of the elector's right, in accordance with Section 6.2 of this By-law, to vote by mail ballot, and within the time limits required by the Chief Election Officer, which Council authorizes the Chief Election Officer to establish.~~
- 6.4 Upon receipt of an application for a mail ballot, the Chief Election Officer ~~shall; or designate, shall, between the 8th day prior to the first day of advance voting and 4:00 pm on the Thursday two days before general voting day:~~
- ~~(a) make available to the applicant, a mail ballot package which contains:described in Section 110 of the Local Government Act; and~~
 - ~~(i) the content described in Section 110(7) of the Local Government Act;~~
 - ~~(ii) additional instructions; and~~
 - ~~(a)(iii) a statement advising the elector that the elector must meet the eligibility to vote criteria and that the elector must attest to such fact; and~~
 - (b) immediately record in the register of mail ballots, and, upon request in person by an election official, candidate representative or elector, make available for inspection by any such person; ~~the name and address of the person to whom the Chief Election Officer issued the mail ballot package.~~
 - ~~(i) the name and address of the person to whom the Chief Election Officer issued the mail ballot package;~~
 - ~~(ii) the number of the elector or "new elector", if that person is not registered as an elector; and~~
 - ~~(iii) any other information that the Chief Election Officer deems helpful to maintain the register of mail ballots.~~
- ~~6.4A As per the applicant's direction and subject to any time limits established by the Chief Election Officer, the Chief Election Officer may distribute the mail ballot package in any of the following ways:~~
- ~~(a) sending the mail ballot package by Canada Post;~~
 - ~~(b) sending the mail ballot package by courier at the expense of the applicant;~~
 - ~~(c) having the mail ballot package picked up by the applicant at a time and location designated by the Chief Election Officer; or~~
 - ~~(d) having the mail ballot package picked up by an authorized person at a time and location designated by the Chief Election Officer.~~

6.4B The Chief Election Officer may request that the authorized person show identification and sign a form before providing the authorized person with the mail ballot package.

Voting Procedure

6.5 In order to vote using a mail ballot, the elector must mark the ballot in accordance with this Bylaw and any ~~other~~ instructions contained in the mail ballot package provided by the Chief Election Officer.

6.6 After marking the ballot, the elector must:

- (a) place the ballot in the secrecy envelope provided, and then seal the secrecy envelope;
- (b) place the secrecy envelope in the certification envelope, complete and sign the certification printed on the certification envelope, and then seal the certification envelope;
- (c) place the certification envelope, together with a completed elector registration application, if required, in the outer envelope, and then seal the outer envelope; and
- (d) mail or have delivered ~~deliver~~ the outer envelope and its contents to the Chief Election Officer at the address specified so that the Chief Election Officer receives it no later than 8:00 p.m. on general voting day.

Mail Ballot Acceptance or Rejection

6.7 ~~Deleted. Prior to 8:00 p.m. on general voting day, the Chief Election Officer or designate must either accept or reject the certification envelope in accordance with Section 6.8 or 6.9 of this By-law.~~

6.8 Upon receipt of the outer envelope and its content, the Chief Election Officer ~~or designate~~ must immediately record the date of receipt in the register of mail ballots, open the outer envelope, remove and examine the certification envelope and completed elector registration application, if applicable, and —if satisfied as to:

- (a) the identity fo the elector as an applicant on the register of mail ballots; and entitlement to vote of the elector named in the certification,
- (a)(b) the entitlement to vote of the elector named in the certification;
- (b)(c) the completeness of the certification; and
- (c)(d) if a person is registering as a new elector, fulfilment of the requirements of Sections 65 or 66 and Section 70 of the Local Government Act and completeness of the application to register;

mark the certification envelope as “accepted” and place the accepted certification envelope with the other certification envelopes.

- 6.9 If the Chief Election Officer ~~or designate~~:
- (a) is not satisfied as to the identity and entitlement to vote of the elector named in the certification, or the completeness of the certification;
 - (b) is not satisfied that a person registering as a new elector has fulfilled the requirements of Sections 65 or 66 and Section 70 of the *Local Government Act*; or has completed the application to register properly; or
 - (c) receives the outer envelope after 8:00 p.m. on general voting day;

the Chief Election Officer ~~or designate~~ must not open the certification envelope, and must ~~mark the certification envelope as "rejected", note the reason for the rejection, set aside the rejected certification envelope,~~ and not count the ballot contained in the rejected certification envelope in the election.

- 6.10 A certification envelope rejected under Section 6.9 of this By-law must remain unopened.
- 6.11 Each ~~unopened~~ certification envelope accepted under Section 6.8 must be inserted in a portable ballot box maintained in the custody of the Chief Election Officer ~~until 8:00 p.m. on general voting day, after which time the Chief Election Officer must open~~ the certification envelope containing the secrecy envelope is opened in accordance with Sections 6.18 through 6.22 of this By-law.~~the presence of at least one other person.~~
- 6.12 Each certification envelope, whether "accepted" or "rejected", and any related elector registration applications must remain in the custody of the Chief Election Officer for the purpose of dealing with any challenge.

Challenge of Elector

- 6.13 A person who qualifies under Section 126 of the *Local Government Act* may challenge the right of a person to vote by mail ballot on the grounds set out in ~~If an elector's right to vote using a mail ballot is challenged, the Chief Election Officer will proceed, as far as practical, in accordance with~~ Section 126 of the *Local Government Act*.
- 6.14 ~~Deleted. After opening a certification envelope from an elector, if:~~
- ~~(a) no other person has challenged the elector's right to vote using a mail ballot; or~~
 - ~~(b) the elector, after resolution of such challenge, has the right to vote using a mail ballot;~~
- ~~the Chief Election Officer or designate, in the presence of at least one other person, must supervise the opening of each secrecy envelope, and then proceed in accordance with this By-law.~~

Electors' Name Already Used

- 6.15 If the Chief Election Officer determines that another person has already voted or received a mail ballot in that elector's name, Section 127 of the *Local Government Act* applies to the extent applicable.

Replacement of Spoiled Ballots

- 6.16 If an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer, ~~the elector may request a replacement ballot by returning the spoiled ballot package in its entirety to the Chief Election Officer and~~ before 8:00 p.m. on general voting day ~~gives the spoiled ballot package in its entirety to the Chief Election Officer, the elector may request a replacement ballot.~~
- 6.17 Upon receipt of a spoiled ballot package, the Chief Election Officer must record such fact, ~~mark the spoiled ballot package as spoiled, set aside the spoiled ballot package, and not count the ballot contained in the spoiled ballot package in the election, and proceed in accordance with Section 6.9 of this By-law.~~

Processing and Counting of Mail Ballots

- ~~6.18 On the third day (Wednesday) before general voting day, during the period established by the Chief Election Officer, the Chief Election Officer or presiding election official will, in the presence of at least one other person and any candidate representatives:~~
- ~~(a) deal with any challenges to the electors involving the accepted certification envelopes;~~
 - ~~(b) open the certification envelopes;~~
 - ~~(c) remove the secrecy envelopes containing the ballots;~~
 - ~~(d) open the secrecy envelopes and insert the ballots into the vote tabulating unit designated for mail ballot voting; and;~~
 - ~~(e) secure the vote tabulating unit so that no more ballots can be inserted.~~
- ~~6.19 On the second day (Thursday) before general voting day, during the period established by the Chief Election Officer, the Chief Election Officer or presiding election official will follow the procedures in Section 6.18 for accepted certification envelopes that have not yet been processed.~~
- ~~6.20 On the day (Friday) before general voting day, during the period established by the Chief Election Officer, the Chief Election Officer or presiding election official will follow the procedures in Section 6.18 for accepted certification envelopes that have not yet been processed.~~
- ~~6.21 On general voting day, during the period established by the Chief Election Officer, the Chief Election Officer or presiding election official will follow the procedures in Section 6.18 for accepted certification envelopes that have not yet been processed.~~
- ~~6.22 After 8:00 p.m. on general voting day, the Chief Election Officer or presiding election official will follow the procedures in Section 6.18 for all remaining accepted certification envelopes from mail ballot packages received prior to 8:00 p.m. on general voting day but not yet processed.~~

~~6.23 Once all of the accepted mail ballots have been inserted into the vote tabulating unit, and after the close of voting on general voting day, the Chief Election Officer shall direct the presiding election official for the mail ballot voting opportunity to proceed with counting the mail ballot in accordance with Section 7.18 of this By-law.~~

PART 7 AUTOMATED VOTE COUNTING SYSTEM

Authorization

7.1 The ~~use of an conduct of a general local election, other voting, by election and any other election under the Local Government Act, using an~~ automated vote counting system for the conduct of elections and other voting is authorized by this By-law.

Automated Voting Procedures

7.2 Upon request, the presiding election official ~~or designate~~ for each voting place shall illustrate the proper marking of a ballot, and demonstrate how to insert the ballot into the vote counting unit. This instruction will be offered before a ballot is issued.

7.3 Upon completion of the voting demonstration, if any, the elector shall proceed as instructed, to the election official responsible for issuing ballots, who:

(a) shall ensure that the elector meets the basic requirements set out in Section 125 of the Local Government Act in order to obtain a ballot; and:

~~(i) is qualified to vote in the election;~~

~~(ii) completes the voting book as required by the Local Government Act; and~~

(b) upon fulfillment of the requirements of Sub-Section (a), shall then provide a ballot to the elector, along with a secrecy folder, if requested by the elector, and any further instructions the elector requests.

7.4 Upon being given a ballot, and secrecy folder if so requested, the elector shall immediately proceed to a voting compartment to vote.

7.5 The elector may vote only by making an acceptable mark on the ballot:

(a) beside the name of each candidate of choice, up to the maximum number of candidates to be elected for each of the offices to be filled of Mayor, Councillor, and School Trustee; and

(b) beside a choice, up to the maximum number of choices permitted, on any other question on the ballot. either "yes" or "no" in the case of each referendum question.

- 7.6 Once the elector has finished marking the ballot, the elector must place the ballot into the secrecy folder if applicable, proceed to the ~~vote~~ing tabulating unit, and under the supervision of the election official in attendance, insert the ballot directly from the secrecy folder, if applicable, into the vote tabulating unit without the acceptable marks on the ballot being exposed.
- 7.7 If, before inserting the ballot into the vote tabulating unit, an elector determines that they ~~have he or she has~~ made a mistake when marking a ballot or if the ballot is returned by the vote tabulating unit, the elector may request a replacement ballot by advising the election official in attendance.
- 7.8 Upon being advised of the replacement ballot request, the presiding election official shall mark the ballot "spoiled" and issue a replacement ballot to the elector ~~and mark the returned ballot "spoiled"~~ and shall retain all such spoiled ballots separately from all other ballots and they shall not be counted in the election.
- 7.9 If the elector declines the opportunity to obtain a replacement ballot, and has not damaged the ballot to the extent that it cannot be reinserted into the vote tabulating unit, the election official shall, using the ballot return override procedure, reinsert the returned ballot into the vote tabulating unit to count any acceptable marks which have been made correctly.
- 7.10 Any ballot counted by the vote tabulating unit is valid and any acceptable marks contained on such ballots will be counted in the election, subject to any determination made under a judicial recount.
- 7.11 Once the ballot has been inserted into the vote tabulating unit and the unit indicates that the ballot has been accepted, the elector must immediately leave the voting place.
- 7.12 During any period that a vote tabulating unit is not functioning, the election official supervising the unit shall insert all ballots delivered by the electors during this time, into the emergency ballot compartment, provided that if the vote tabulating unit:
- (a) becomes operational, or
 - (b) is replaced with another vote tabulating unit,
- the ballots in the emergency ballot compartment shall, as soon as reasonably possible, be removed by an election official, and under the supervision of the presiding election official inserted into the vote tabulating unit to be counted.
- 7.13 Any ballots which were temporarily stored in the emergency ballot compartment, which are returned by the vote tabulating unit when being counted, shall, through the use of the ballot return override procedure, and under the supervision of the presiding election official, be reinserted into the vote tabulating unit to ensure that any acceptable marks are counted.

Special Mail Ballot Voting Opportunity Procedures

- 7.14 ~~The procedures for processing and counting mail ballots using an automated vote counting system are set out in Sections 6.18 through 6.23 of this By-law. A portable ballot box shall be used for all special voting opportunities and the presiding election official appointed to attend at each special voting opportunity shall proceed in accordance with this Bylaw so far as applicable, except that the voted ballots shall be deposited into the portable ballot box supplied by the presiding election official.~~
- 7.15 ~~A vote tabulating unit used for the counting of mail ballots shall not be used for any other voting opportunities. The presiding election official at a special voting opportunity shall ensure that the portable ballot box is secured when not in use and at the close of voting at the final special voting opportunity, the presiding election official shall seal the portable ballot box and return it together with all other election materials to the custody of the Chief Election Officer.~~

Advance Voting Opportunity Procedures

- 7.16 The presiding election official ~~shall~~, at the close of voting at each advance voting opportunity, shall ensure that ~~shall~~:
- (a) ~~no additional ballots are inserted in the vote tabulating unit; ensure that any remaining ballots in the emergency ballot compartment are inserted into the vote tabulating unit; and~~
 - (b) the emergency ballot compartment is locked to prevent insertion of any ballots;
 - (c) the results tapes in the vote tabulating unit are not generated; and
 - (~~b~~d) the data storage device of ~~secure~~ the vote tabulating unit is secured, so that no more ballots can be inserted.
- 7.17 The presiding election official ~~shall~~, after the close of voting at the final advance voting opportunity, shall:
- (a) ensure that any remaining ballots in the emergency ballot compartment are inserted into the vote tabulating unit;
 - (b) secure the vote tabulating unit so that no more ballots can be inserted; and
 - (c) deliver the vote tabulating unit together with the data storage devices and all other materials used in the election to the custody of the Chief Election Officer at Election Headquarters.

Procedures After the Close of Voting on General Voting Day

- 7.18 After the close of voting on general voting day at voting opportunities where a vote tabulating unit was used in the election, but excluding advance voting, ~~special voting~~ and mail ~~balloting~~ opportunities, unless otherwise specifically provided for, each presiding election official shall:
- (a) ensure that any remaining ballots in the emergency ballot compartment are inserted into the vote tabulating unit;

- (b) secure the vote tabulating unit so that no more ballots can be inserted;
- (c) generate three copies of the register tape from the vote tabulating unit;
- (d) account for the unused, spoiled and voted ballots, and place them packaged and sealed separately into the election materials transfer box along with one copy of the register tape;
- (e) complete the ballot account and place the duplicate copy in the election materials transfer box;
- (f) seal the election materials transfer box;
- (g) place the voting books, the original copy of the ballot account, two copies of the register tape, completed registration cards, keys and all completed administrative forms into the Chief Election Officer's portfolio; and
- (h) deliver the sealed election materials transfer box, vote tabulating unit and the Chief Election Officer's portfolio to the Chief Election Officer at Election Headquarters.

7.19 At the close of voting on general voting day, the Chief Election Officer shall direct the presiding election official for the advance voting opportunity ~~and any special voting opportunities where vote tabulating units were used~~, to proceed in accordance with Section 7.18(c) to (h) of this By-law.

7.20 At the close of voting on general voting day, all portable ballot boxes used in the election will be opened at Election Headquarters, under the direction of the Chief Election Officer, and all ballots shall be removed and inserted into a vote tabulating unit to be counted, after which the provisions of Section 7.18(c) to (h) of this By-law, so far as applicable, shall apply.

7.21 Any ballot returned by the vote tabulating unit after being inserted shall, through the use of the ballot return override procedure and under the supervision of the presiding election official, be reinserted into the vote tabulating unit to ensure that any acceptable marks are counted.

Recount Procedure

7.22 If a recount is required, it shall be conducted under the direction of the Chief Election Officer, using the automated vote counting system, generally in accordance with the following procedure:

- (a) the data storage devices of all vote tabulating units will be cleared,
- (b) vote tabulating units will be designated for each voting place, advance voting opportunity, the mail ballot voting opportunity, voting, and other voting opportunities, as applicable, used in the election
- (c) all ballots will be removed from the election materials transfer box sealed ballot boxes, and
- (d) all voted ballots, except spoiled ballots, will be reinserted into the appropriate vote tabulating units under the supervision of the Chief Election Officer,
- (e) if a ballot is returned by the vote tabulating unit, it will be re-inserted, using the ballot return override procedure,
- (f) once all ballots have been successfully inserted into the vote tabulating units, register tapes will be generated from each of the vote tabulating units.

- 7.23 If a candidate cannot be declared elected because there is an equality of valid votes for 2 or more candidates, the chief election officer must declare that the election is to be referred to a judicial recount.

**PART 8
RESOLUTION OF A TIE AFTER JUDICIAL RECOUNT**

- 8.1 If at the completion of a judicial recount the results of the election cannot be declared because there is an equality of valid votes for 2 or more candidates, the results will be determined by lot between those candidates in accordance with Section 151(2) of the *Local Government Act*.

**PART 9
USE OF THE CORPORATE WEBSITE**

- 9.1 The following information is authorized to be accessed from the City website in order to facilitate easier access for viewing by the public, for the periods specified by Section 89 of the *Local Government Act* and Section 59 of the *Local Elections Campaign Financing Act*:
 - (a) nomination documents and signed declarations filed by each candidate and elector organization; and
 - (b) campaign financial disclosure statements and signed declarations filed on behalf of each candidate, elector organization and campaign organizer will be available through a link posted on the City website.

READ A FIRST TIME on the 30th day of May, 2011.

READ A SECOND TIME on the 30th day of May, 2011.

READ A THIRD TIME on the 30th day of May, 2011.

FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the 13th day of June, 2011.

_____ MAYOR

_____ CLERK

**Preliminary List of 52 Voting Locations for Voting on Election Day
Saturday, October 15, 2022 and for Advance Voting (AV) Locations****WHALLEY**

1. A.H.P Matthew Elementary
2. Bridgeview Community Centre
3. Chuck Bailey Recreation Centre (AV)
4. LA Matheson Secondary
5. Lena Shaw Elementary
6. Old Yale Road Elementary
7. Queen Elizabeth Secondary

NEWTON SOUTH

1. Boundary Park Elementary
2. Colebrook Elementary
3. Cougar Creek Elementary
4. Ecole Panorama Ridge Secondary
5. Ecole Woodward Hill Elementary
6. Goldstone Park Elementary
7. Tamanawis Secondary

GUILDFORD

1. Bonaccord Elementary
2. Bothwell Elementary
3. Fraser Heights Recreation Centre
4. Guildford Park Secondary
5. Guildford Recreation Centre (AV)
6. Harold Bishop Elementary
7. William F. Davidson Elementary

CLOVERDALE

1. Adams Road Elementary
2. Cloverdale Recreation Centre (AV)
3. Katzie Elementary
4. Maddaugh Elementary
5. Salish Secondary School
6. Surrey Centre Elementary

FLEETWOOD

1. Berkshire Park Elementary
2. Coast Meridian Elementary
3. Fleetwood Community Centre (AV)
4. Fleetwood Park Secondary
5. Green Timbers Elementary
6. Maple Green Elementary

SOUTH SURREY WEST

1. Elgin Hall
2. Elgin Park Secondary
3. Jessie Lee Elementary
4. Ocean Cliff Elementary
5. Ray Shepherd Elementary
6. Semiahmoo Secondary (AV)

NORTH NEWTON

1. Chimney Hill Elementary
2. Frank Hurt Secondary
3. Georges Vanier Elementary
4. Kennedy Trail Elementary
5. Newton Elementary
6. Princess Margaret Secondary (AV)
7. Strawberry Hill Elementary
8. Westerman Elementary

SOUTH SURREY EAST

1. Douglas Elementary
2. East Kensington Elementary
3. Edgewood Elementary School
4. Morgan Elementary
5. South Meridian Elementary

The total number of voting locations is 52.

The final list of voting locations for voting on general election day and for advance voting will be available on the City's website.