

**CONCEPTION BAY SOUTH MUNICIPAL ELECTION VOTE BY MAIL REGULATIONS
PUBLISHED BY AUTHORITY**

Pursuant to the powers conferred by Sections 26 and 34 of the *Municipal Elections Act, SNL2001*, Chapter M-20.2, the Town of Conception Bay South has made the following Regulations.


TERRY FRENCH, MAYOR

1. TITLE

These Regulations shall be cited as the "Conception Bay South Municipal Election Vote By Mail Regulations".

2. WARDS

The Town of Conception Bay South is divided into four (4) wards.

3. The Returning Officer shall:

- (i) appoint, in writing, election officials as may be required to conduct the municipal election;
- (ii) establish and maintain a secure repository into which the Return Envelopes and the Ballot Envelopes shall be placed until the time specified for the counting of ballots;
- (iii) establish and maintain until 8 pm on any advanced poll day and election day a polling station for the deposit of Return Envelopes and Ballot Envelopes;
- (iv) establish and maintain an Elections Office for corrections and additions to or deletions from the Voter's List.

4. The Returning Officer may provide, in addition to the polling station required in section 3 (ii), a minimum of one (1) additional polling station for the deposit of Return Envelopes and Ballot Envelopes in each ward. Such additional polling station sites shall be accessible only between 8 am and 8 pm on election day and shall be supervised by election officials as determined by the Returning Officer.

- 5.**
- (i) The procedures for the conduct of the municipal election are specified in Appendix A, hereto annexed, which forms part of these Regulations.
 - (ii) Notwithstanding the foregoing, the Returning Officer, may, with prior Ministerial approval, vary the procedures from time to time as deemed appropriate to ensure the efficiency and integrity of the municipal election.
 - (iii) Persons appointed by the Returning Officer as election officers shall carry out their duties as specified in the procedures contained in Appendix A.

6. A Voter Kit shall be mailed to each eligible voter. In order to receive a Voter Kit, such eligible voter must register to receive one. The Voter Kit shall contain the following:
 - (i) Voting Instruction Sheet;
 - (ii) Voter Declaration Form;
 - (iii) Ballot;
 - (iv) Return envelope;
 - (v) Ballot envelope; and
 - (vi) Any further enclosures the Returning Officer may deem necessary or appropriate.
7. Each voter has the responsibility to complete their ballot in accordance with all applicable legislation and return it to the Returning Officer by mail or personal delivery by 8 pm on election day. Notwithstanding Section 33.3 of the Municipal Elections Act, ballots received after this time will not be counted.
8. Section 26 and 34 of the Municipal Elections Act, SNL 2001, Chapter M-20.2 shall apply. Section 27 shall have no application to a municipal election in the Town of Conception Bay South.
9. With the exception of the ballot form, other forms used to administer a municipal election, as prescribed by the Minister of Municipal and Provincial Affairs, will be used.
10. The Town of Conception Bay South shall enter into any/all contracts necessary to conduct the election in accordance with these Regulations, including but not limited to, with the Canada Post Corporation.
11. Any person who contravenes these Regulations shall be guilty of an offence and liable upon conviction to a penalty as provided in the Municipal Elections Act, SNL2001, Chapter M-20.2.

12. COMPLIANCE WITH OTHER ACTS

Nothing in these Regulations serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other Regulation of the Town of Conception Bay South or any Statute or Regulation of the Province of Newfoundland and Labrador. If any such Regulation contained herein conflicts with a provincial or federal statute, the provincial or federal statute shall prevail.

The invalidity of any particular provision of these Regulations shall not affect any other clause or subclause of these Regulations, but these Regulations shall be construed as if such invalid clause or subclause were omitted.

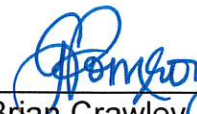
13. EFFECTIVE DATE

These Regulations shall come into force on the 14 day of July, 2021.

In witness whereof the Seal of the Town of Conception Bay South has been affixed hereto and these Regulations have been signed by the Mayor and the Chief Administrative Officer on behalf of the Council on this 14th day of July, 2021.



Terry French
Mayor


Brian Crawley, Town Clerk
(for) Chief Administrative Officer

**APPENDIX A
VOTE BY MAIL PROCEDURES
TOWN OF CONCEPTION BAY SOUTH**

1. The official Voter Kit will be sent to all voters on the Voter's List, who are registered to receive one, no later than 10 days after the close of the nomination period.
2. Immediately upon receipt of the Voter Kit, a voter may send their Return Envelope and Ballot Envelope by mail in accordance with the final deadline – as determined by Canada Post – which will ensure delivery to the Town of Conception Bay South by 8 pm on election day. Ballots received after 8 pm on election day, regardless of postmark, will be considered spoiled and will not be counted.
3. Voters will also have the option to:
 - drop their Return Envelope and Ballot Envelope into a secured Drop Box situated outside Town Hall 24 hours a day up to 8 pm on election day. Notwithstanding Section 33.3 of the Municipal Elections Act, ballots received after this time will be considered spoiled and will not be counted.
 - Drop their Return Envelope and Ballot Envelope into the appropriate polling station for their ward between 8 am and 8 pm on election day.
4. Voters who do not need to be sworn in may drop their Return Envelope and Ballot Envelope into their Ward Polling Station between 8 AM and 8 PM on election day. The Returning Officer shall determine the number of Polling Stations that may be set up for election day.
5. To ensure prompt delivery of all Return Envelopes to the appropriate location, a separate postal box shall be secured by the Town solely for municipal election purposes and shall remain separate from any and all other postal addresses utilized by the Town of Conception Bay South.
6. The Returning Officer shall put in place personnel for the tracking of which voters have returned their Ballot Envelopes.
7. The Returning Officer may use any currently available electronic and/or manual processes to separate the Voter Declaration Form from the Ballot Envelope and match the Voter Declaration Form to the Voter List.
8. The separated Ballot Envelopes and Voter Declaration Forms shall be held in a secure location.
9. All Voter Kits will be imprinted with "RETURN TO SENDER IF UNDELIVERED TO ADDRESSEE". Upon receipt of these returned non-delivered kits, adjustments will be made to the Voters List to advise that the Voter Kit has been returned to the election office. All returned Voter Kits in this category will be held in a secure location.

10. The Returning Officer may use any currently available electronic and/or manual process to conduct the counting of ballots.
11. The areas designated as counting areas on election day shall be closed to all personnel other than those necessary for the conduct of the count of ballots. Security personnel shall be posted at each counting area to ensure restricted entry and secrecy of the results is maintained until 8 pm on election day. Counting of the ballots shall be in accordance with Section 51 of the Municipal Elections Act.
12. A final Canada Post pick up will take place at 8 pm on election day, under the direction and control of the Returning Officer, and the Return Envelopes obtained at that time shall be brought directly to the Town Hall for distribution to the appropriate counting areas.
13. All Return Envelopes received at Canada Post after 8 pm on election day shall be date and time stamped by Canada Post and returned to the Town of Conception Bay South where they will be retained in a secure location in accordance with the Municipal Elections Act. Regardless of postmark, these ballots will be considered spoiled and will not be counted.
14. The following procedure will be used in the Polling Stations:
 - a. The Polling Stations shall open at 8 am and close at 8 pm on election day. In accordance with Section 33(2) of the Municipal Elections Act, a delay in the opening of the poll may impact the time of closing.
 - b. The Deputy Returning Officer will be empowered to swear in voters who are not on the Voters List and who complete the appropriate form and provide the required identification.
15. Eligible voters not included on the Voter List can complete the appropriate documentation online or in person (8:30 a.m. to 4:30 p.m., Monday to Friday, at Town Hall) after which a voter kit will be provided up to the day immediately preceding election day.
16. Secure transport of ballot boxes from Polling Stations to Town Hall will be conducted under the supervision of the Returning Officer and will take place on a continuing basis until 8 pm on election day or until all completed kits and ballots deposited by 8 pm on election day are collected.
17. All Return Envelopes from the Polling Stations will be sorted and tabulated at Town Hall.
18. All completed application forms taken at the Polling Stations will be transported to Town Hall on a continual basis along with the sealed ballot boxes. Upon arrival at Town Hall, the application forms will be provided to election officials for verification purposes.
19. Candidates and/or their agent authorized in writing are permitted to remain in the polling station during voting hours and during the counting of the ballots. Authorized agents are subject to the following rules:

- a. Agents will conduct themselves in a professional manner.
- b. Agents will address all questions to the Returning Officer or Deputy Returning Officer and will comply with their directions.
- c. Agents will be provided with an access pass and must wear it all times while in the Polling Station or in the counting area.
- d. Agents may not handle any ballots or election materials.
- e. Agents must acknowledge, in writing, their agreement to observe the above noted rules.
- f. Failure to observe the above stated rules shall result in the agent being removed from the Polling Station and/or counting area.