



Your VBM Regulations

Making it Work...

Kathleen Parewick, MUP, PhD
Community Collaboration & Development

17 June 2021

Available electoral options by Alert-level

	Possible in Alert Levels					Notes
Election Measure	1*	2	3	4	5	
Election Measure	*Level 1 is considered a “new normal” following the vaccination of most of the population. No detailed public health measure guidance has been released for it as yet.					
In-Person Voting	x	x	?			If “allowed”, it is assumed that suitable physical distancing, masks and extra sanitation measures will also be in force at the polling location.
Mail-in Ballot	x	x	x	x	x	It is recommended that municipalities seek approval to use mail-in ballots to secure the best COVID-safe range of election options available in 2021.



Vote by Mail

- *Municipal Elections Act (MEA)* allows for mail-in voting
- SS 14(4) – Nominations
- S. 54, *MEA*
- Never broadly used before... ***BUT used in St. John's since 2001***



Framework & Sector Leadership

-
- Exercise the ***Vote by Mail*** option
 - Coordinated countdown
 - Resources and supports
 - Group purchasing
 - Advocacy



Vote by Mail

Councils who wish to use mail-in voting MUST:

- ✓ Obtain written approval from the Minister
- ✓ Pass a resolution
- ✓ Create a regulation
 - At least **60 days prior to election**

VBM Motions of Council

First...

Motion #1:

Be it resolved that the Town of [insert] request the approval of the Minister of Municipal and Provincial Affairs to exercise Vote By Mail in the 2021 Municipal Election pursuant to Section 54(1) of the *Municipal Elections Act*.

Motion # 2:

Be it resolved that the Town of [insert] authorize residents to vote by mail in the 2021 Municipal Election pursuant to Section 54 of the *Municipal Elections Act*.

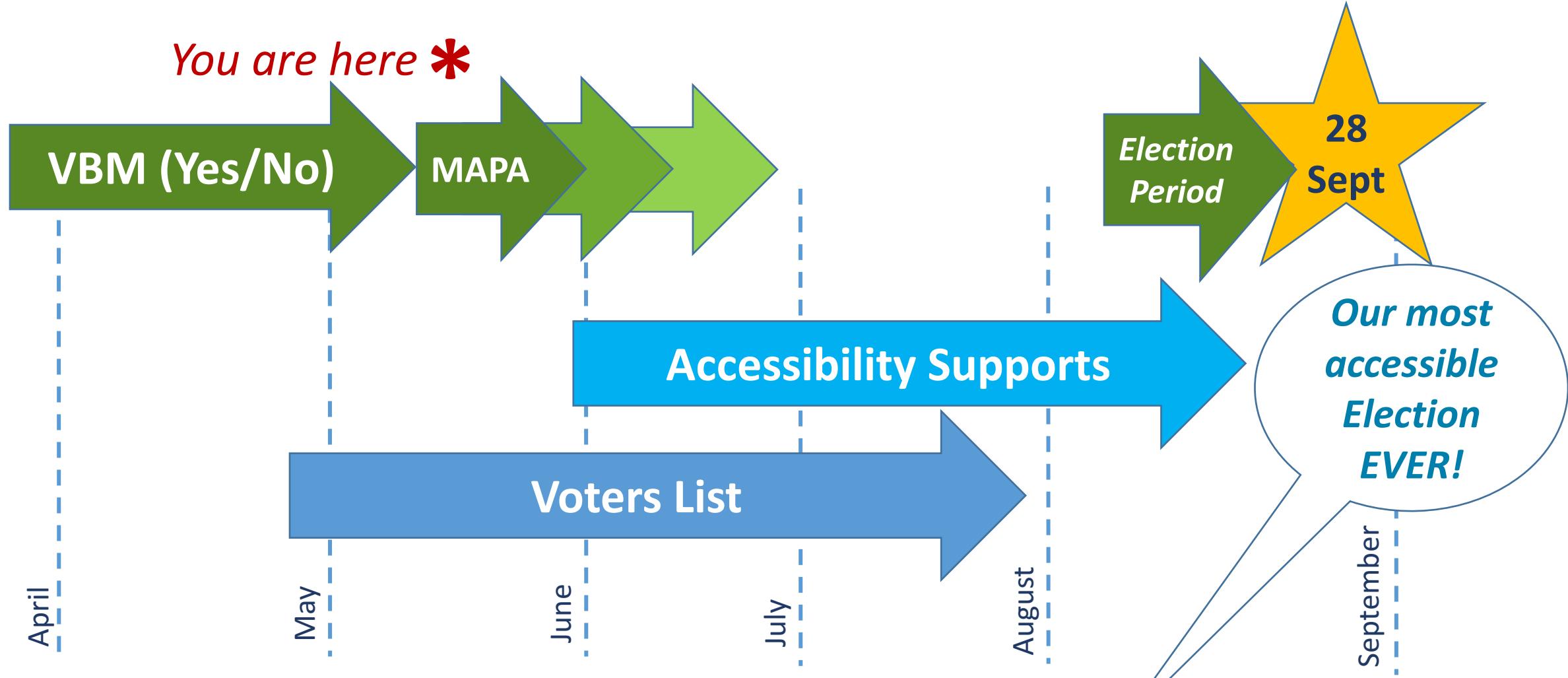
Vote by Mail

Returning Officers **MUST**:

- ✓ Establish procedures & forms
- ✓ Provide a copy of procedures & forms to each candidate

Not fewer than 60 days before election

NOTE: S.97:
regulations,
procedures & forms
established by RO
must first be
approved in writing
by Minister before
they come into force.



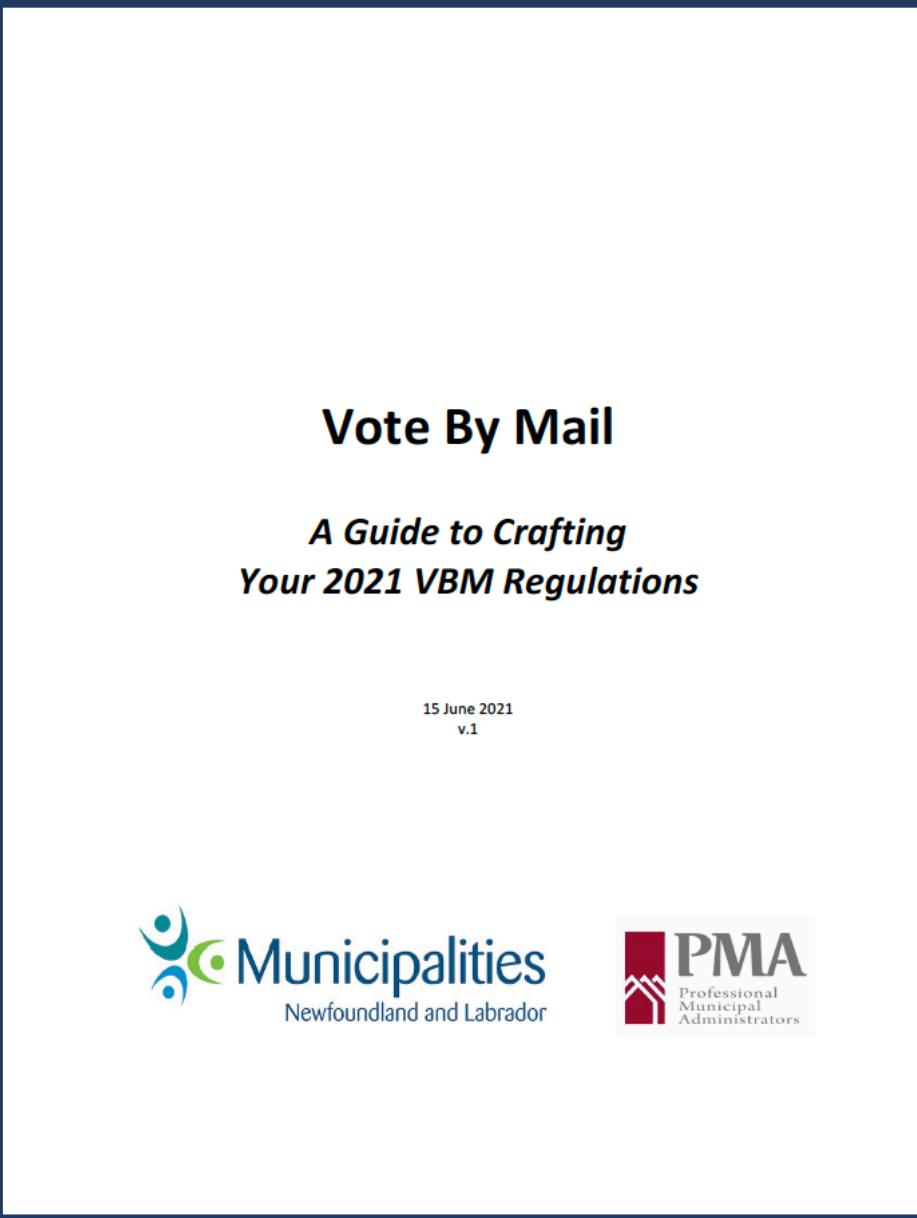
VBM Motions of Council

And now?

Motion # 3:

Be it resolved that the Town of [insert] adopt the *Town of [insert] Vote By Mail Regulations* and forward them to the Minister of Municipal and Provincial Affairs for review and approval in writing pursuant to Sections 54 and 97 of the *Municipal Elections Act.*"

Our VBM Guidance



The image shows the front cover of a booklet titled 'Vote By Mail: A Guide to Crafting Your 2021 VBM Regulations'. The cover is white with black text. At the bottom, there are two logos: 'Municipalities Newfoundland and Labrador' on the left and 'PMA Professional Municipal Administrators' on the right.

Vote By Mail

*A Guide to Crafting
Your 2021 VBM Regulations*

15 June 2021
v.1

Municipalities
Newfoundland and Labrador

PMA
Professional Municipal
Administrators

- *Barebones approach*
- *Legally-reviewed*
- *Templates (.doc)*
- *Guide & Tips*
- *Procurement help*

1

+

2

+

3

TOWN OF [insert]
MUNICIPAL ELECTION VOTE BY MAIL REGULATIONS

Pursuant to the Ministerial approval granted under Section 54(1) of the *Municipal Elections Act, SNL 2001, c. M-20.2* (hereinafter referred to as the "Act") as amended and all other enabling powers, the Town of [insert] has established the following MUNICIPAL ELECTIONS VOTE BY MAIL REGULATIONS.

Title

1. These Regulations may be cited as the Town of [insert] Vote by Mail Regulations.

Interpretation

2. Where used herein,

- a. "Returning Officer" shall mean the Town Clerk of the Town or such other person appointed in accordance with section 12(a) of the *Municipal Elections Act*;
- b. "Town" shall mean the Town of [insert]; and
- c. "Voter Kit" shall mean the package containing the documents listed in section 8 hereof.

3. Any capitalized term used but not defined herein shall have the meaning ascribed thereto in the Act.

4. Except where specified by these *Regulations*, Elections in the Town are held in accordance with the procedures and terms dictated by the Act, and the regulations, policies and forms promulgated thereunder.

5. Sections 26 and 27 of the Act shall not apply to an Election in the Town.

Returning Officer Responsibilities

6. The Returning Officer shall:

- a. Appoint in writing such election officials as may be required to conduct the Election, in accordance with section 12(a) of the Act;
- b. Establish and maintain a secure storage location into which Return Envelopes and Ballot Secrecy Envelopes are placed until the time specified for the counting of ballots;
- c. Establish and maintain, by 8:00 p.m. on election day a minimum of one site for the deposit of Return Envelopes and Ballot Secrecy envelopes;
- d. Establish and maintain a voter's list;
- e. Oversee the creation of the Voter Kit; and
- f. Perform such other duties and responsibilities as set out in the Act, these *Regulations* and procedures created hereunder.

7. The Returning Officer shall provide, in addition to the site required in section 6(c), a polling station or stations for the deposit of Return Envelopes and Ballot Secrecy Envelopes. Such additional sites shall be accessible only between 8:00 a.m. and 8:00 p.m. on election day and shall be supervised by elections officials as determined by the Returning Officer.

Voter Kit and Procedures

8. A Voter Kit shall be available to each eligible voter and shall contain the following:

1

APPENDIX A

VOTE BY MAIL PROCEDURES

REMINDER: This template has been compiled with small town circumstances in mind. As such, it assumes no electronic voting supports are in use. In the event your town's election plans entail a contractor using electronic means for voter identification, real-time voter list updating, ballot counting and tabulation, please consult them on your Vote By Mail Regulations, Procedures and Forms. As the one electronically-supported VBM process example in NL to date, you might also consult the City of St. John's. Their standing Municipal Elections legislation, including their *Vote By Mail By-Law 1441*, is available to view here: <http://www.stjohns.ca/city-hall/municipal-election/voter-information/election-overview>

Similarly, if your town chooses to contract Canada Post for either or both of the distribution and return of your Voter Kits, the St. John's By-Law contains suitable legal references to their requirements.

Ballot Kit Distribution

1. The official Voter Kit will be distributed to the listed civic addresses of all voters on the Voters List no later than ten (10) days after the close of the nomination period.

Or

1. The official Voter Kit will be available for pick-up by all voters on the Voter List commencing no later than ten (10) days after the close of the nomination period [insert details], e.g. during regular working hours at the Town Offices and at such other times and locations as may be determined by the Returning Officer. Remaining Voter Kit materials will be employed for in-person voting as of 8 a.m. on Election Day.

Optional addition:
Upon request to the Returning Officer, the official Voter Kit may also be distributed to the listed civic addresses of voters on the Voters List up to [insert deadline prior to Election Day].

Ballot Kit Return

2. Immediately upon receipt of the official Voter Kit, a voter may return their completed Kit to the Town Offices during regular working hours up until [insert time] on the day before Election Day.

3. [IF AVAILABLE] Voters will also have the option to drop their completed Voter Kit into the dropbox [insert details], e.g. at the Town Offices, 24 hours a day up to 8:00 p.m. on Election Day.

1

VBM Kit and Forms Templates

Editable versions of these template files will be posted on the MNL Municipal Elections page in .docx (Word) format

Voter Kit Appendices (include in VBM Regulations package/submit):

Appendix B - Voter Declaration Form
Appendix C - Ballot (versions replacing MEF-5, -6 & -7)

Remaining Voter Kit Forms:

VBM-1 - Voting Directions
VBM-2 - Emergency Update Voting Directions
VBM-3 - Ballot Secrecy Envelope
VBM-4 - Return Envelope

Other VBM-adapted Election Forms:

VBM-5 - Notice of Candidates (Replaces MEF-04)
VBM-6 - Poll Box Vote By Mail Tally Sheets - Voter Kits Processed
VBM-7 - Election Day Directions for the Guidance of Voters (Replaces MEF-14)

NOTE: As appropriate, these templates reflect the design guidance provided by MAPA in their 2021 *Municipal Election Forms* publication for similar required forms (e.g. ballots, directions to voters) used in default election circumstances pursuant to the MEA.

Unless otherwise indicated, all other forms and procedures will generally follow the 2021 MAPA election guidance materials (i.e. 2021 *Municipal Election Forms, Guide to Municipal Elections for Elections Officials*) available at: <https://www.gov.nl.ca/mpa/local-governance-division/municipal-elections/>

In some cases, the **timeframes** for administering the Department's required *Municipal Election Forms* (MEF) must be adjusted to reflect the commencement of the **voting period** that VBM provides in the place of the emphasis on a single Election Day under the MEA's default municipal election provisions. For example, Returning Officers should ensure that their election staff complete MEF-09 - *The Oath or Affirmation of Returning Officer, Deputy Returning Officer, Poll Clerk, and Other Election Officials* - prior to assuming their duties during the VBM voting period. Similarly, they should be mindful that the *Oath or Affirmation of Secrecy* (MEF-10) should be administered to active election officials, candidates, and candidate's agents once the VBM voting period commences.

Regulations

Procedures

Forms



Home

Municipal Elections

Protected Road Zoning Consultations

St. John's Urban Region Regional Plan
Consultations

Municipal Directory

Funding

Municipal Infrastructure

Gas Tax Agreement

Waste Management

Employment Support Programs

For Municipalities

Municipal and Provincial Affairs > Local Governance and Land Use Planning Division > Municipal Elections

Municipal Elections

Municipal elections are subject to the [Municipal Elections Act](#).

Notice to federal public servants who fall under Part 7 of the Public Service Employment Act: Before you become a candidate, you must request and obtain permission from the Public Service Commission of Canada. Use this link: [I want to become a candidate – Canada.ca](#).

Municipal Election Forms (MEFs) are available online for the use of Returning Officers/municipalities for the purpose of administering municipal general elections. Members of the public who require specific forms (i.e. MEF-11 – Proxy Application) must obtain forms directly from a Returning Officer, as per the [Municipal Elections Act](#).

MUNICIPAL ELECTION FORMS

[2021 Municipal Election Forms](#)

INFORMATION

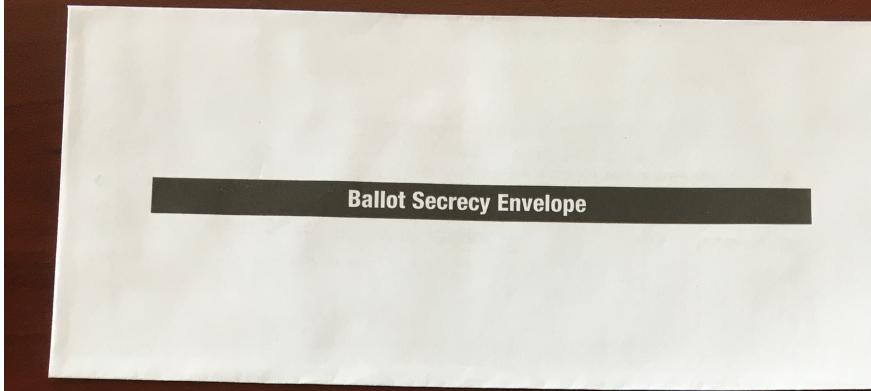
[Municipal Elections at a Glance](#)



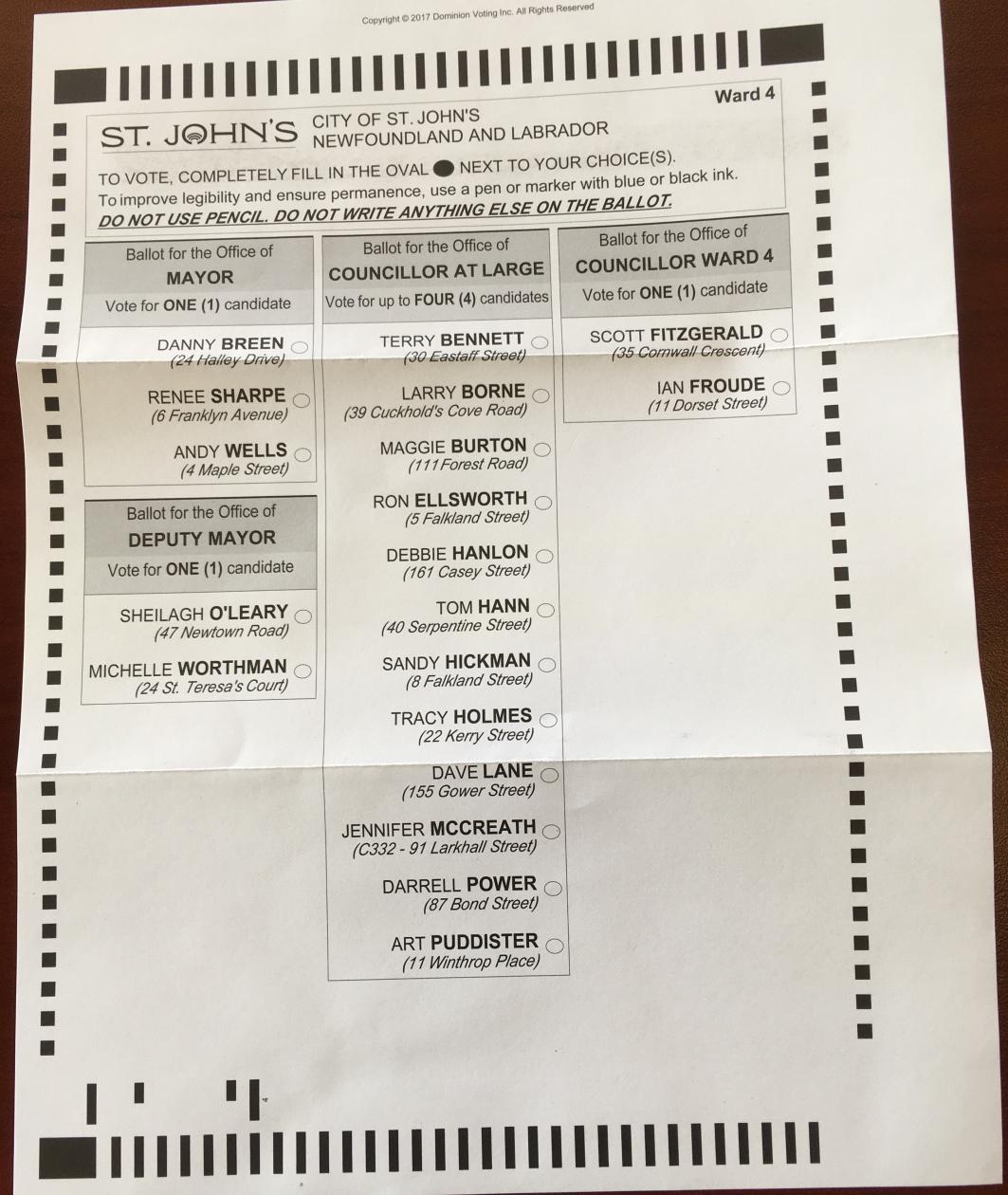
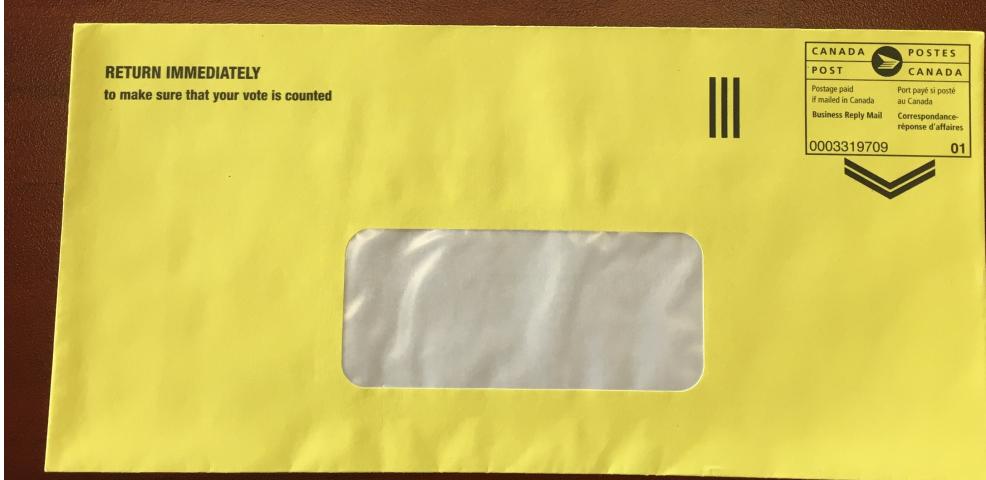
VBM Voter Kits

Key Considerations

- **Distribution**
- **Return**
- **Safety**
- **Flexibility**



St. John's 2017 Ballot & Envelopes



St. John's 2017 Voter Instructions & Declaration

(2-sided print with tear-off card)



VOTING INSTRUCTIONS

These steps keep your vote secret, and ensure your ballot is not spoiled. By law, a spoiled ballot cannot be counted. To make sure your vote is counted, you must:

1. Complete the Ballot and insert into the white Ballot Secrecy Envelope. **(SEAL ENVELOPE)**
2. Insert the white Ballot Secrecy Envelope into the yellow Election Return Envelope. **(DO NOT SEAL ENVELOPE YET)**
3. Sign and detach the Declaration Form found on the bottom of this page and insert into the yellow Election Return Envelope. **(SEAL ENVELOPE)**
4. Mail yellow Election Return Envelope by Thursday, October 15, 2020.

ADDITIONAL INFORMATION ON REVERSE

I, the undersigned, declare that I am a Canadian Citizen, 18 years of age or older, eligible to vote in this election and that I have not already voted for any office on this ballot.

Detach Here

DECLARATION FORM



1000072281 A1C5H4 BR01 02 000



x Signature

CITY OF ST. JOHN'S
PO BOX 12000 STN C
ST. JOHN'S NL A1C 9Z9

Important Information

- Your completed kit must be received by the City of St. John's no later than 8:00 pm local time on Tuesday, October 20, 2020. **Ballots received after that time will not be counted.**
- It is against the law to use more than one ballot or vote under another's name. If found guilty, offenders may be subject to a fine and/or imprisonment as per Sections 99 and 100 of the Municipal Elections Act.
- Your completed kit can be returned in one of three ways:
 - Place it in the mail before Thursday, October 15, 2020.
 - Deposit in the Drop Box outside the main entrance of City Hall at 10 New Gower St. up to and including Election Day.
 - On Election Day, drop it off at one of the SATELLITE DROP-OFF CENTERS listed below:

Questions?

If you require assistance please contact us.
Phone: (709) 576-8619
Website: www.stjohns.ca

Drop Off Location(s)

Knights of Columbus, 49 St. Clare Avenue
Royal Canadian Legion Branch 56, Pleasantville, 930 The Boulevard



Ensure you have
signed the
**DECLARATION
FORM**
on the reverse



1000072281 A1C5H4 BR01 02 000



CITY OF ST. JOHN'S
PO BOX 12000 STN C
ST. JOHN'S NL A1C 9Z9

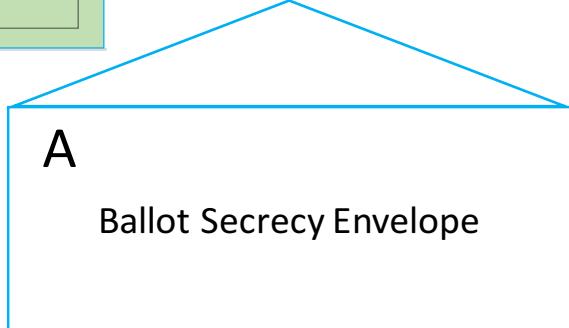
Completing a Voter Kit

1 Complete
ballot(s)...

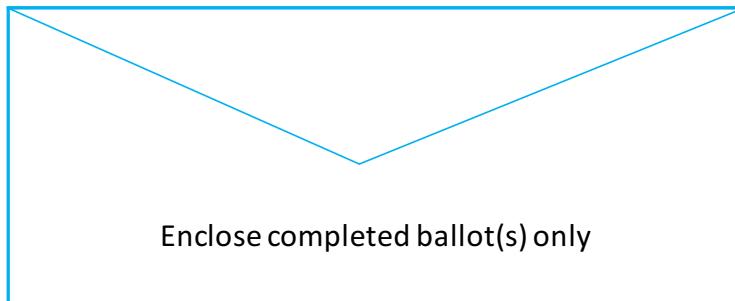
Municipality of _____ Municipal Election
Ballot – Councillors
Vote for up to _____ candidates.
Candidate
1 _____
2 _____
3 _____
4 _____
5 _____
6 _____
7 _____

Municipality of _____ Municipal Election
Ballot - Mayor
Vote for one candidate only.
Candidate Mark an "X"
1 _____
2 _____
3 _____
4 _____
5 _____
6 _____
7 _____

Insert...



and seal...



2

Declaration Form

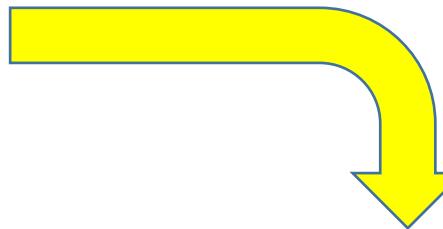
I, the undersigned, declare that I am a Canadian Citizen, 18 years of age or older, eligible to vote in this election, and that I have not already voted for any office on this ballot.

Signature _____

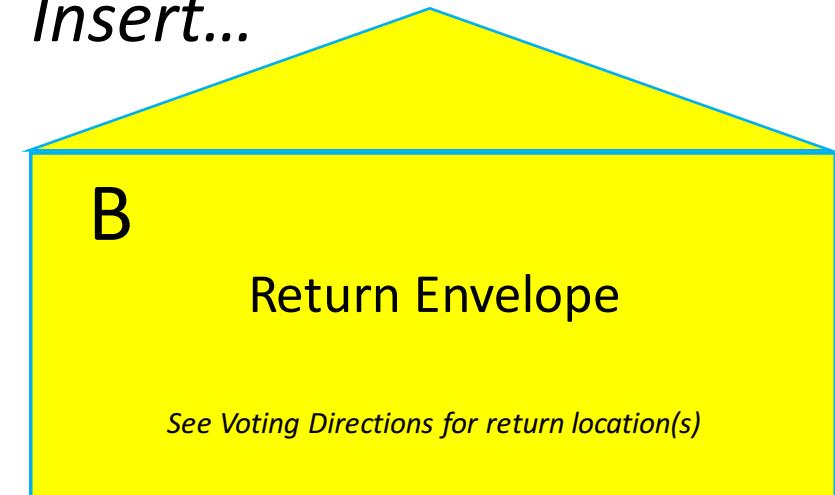
Print name _____

Serial numbering here

Complete
Voter Declaration...



3



and insert.

And seal...
All Done!

Part 1

Regulations

TOWN OF [insert]
MUNICIPAL ELECTION VOTE BY MAIL REGULATIONS

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- a. Appoint in writing such election officials as may be required to conduct the Election, in accordance with section 12(a) of the *Act*;
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- c. Establish and maintain until 8:00 p.m. on election day a minimum of one site for the deposit of Return Envelopes and Ballot Secrecy Envelopes;
- d. Establish and maintain a voter's list;
- e. Oversee the creation of the Voter Kit; and
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7. The Returning Officer shall provide, in addition to the site required in section 6(c), a polling station or stations for the deposit of Return Envelopes and Ballot Secrecy Envelopes. Such additional sites shall be accessible only between 8:00 a.m. and 8:00 p.m. on election day and shall be supervised by elections officials as determined by the Returning Officer.

Voter Kit and Procedures

8. A Voter Kit shall be available to each eligible voter and shall contain the following:

- 2 pages
- All the basics
- MEA refs
- Appendices refs

Part 2

Procedures

APPENDIX A

VOTE BY MAIL PROCEDURES

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Similarly, if your town chooses to contract Canada Post for either or both of the distribution and return of your Voter Kits, the St. John's By-Law contains suitable legal references to their requirements.

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Optional addition:
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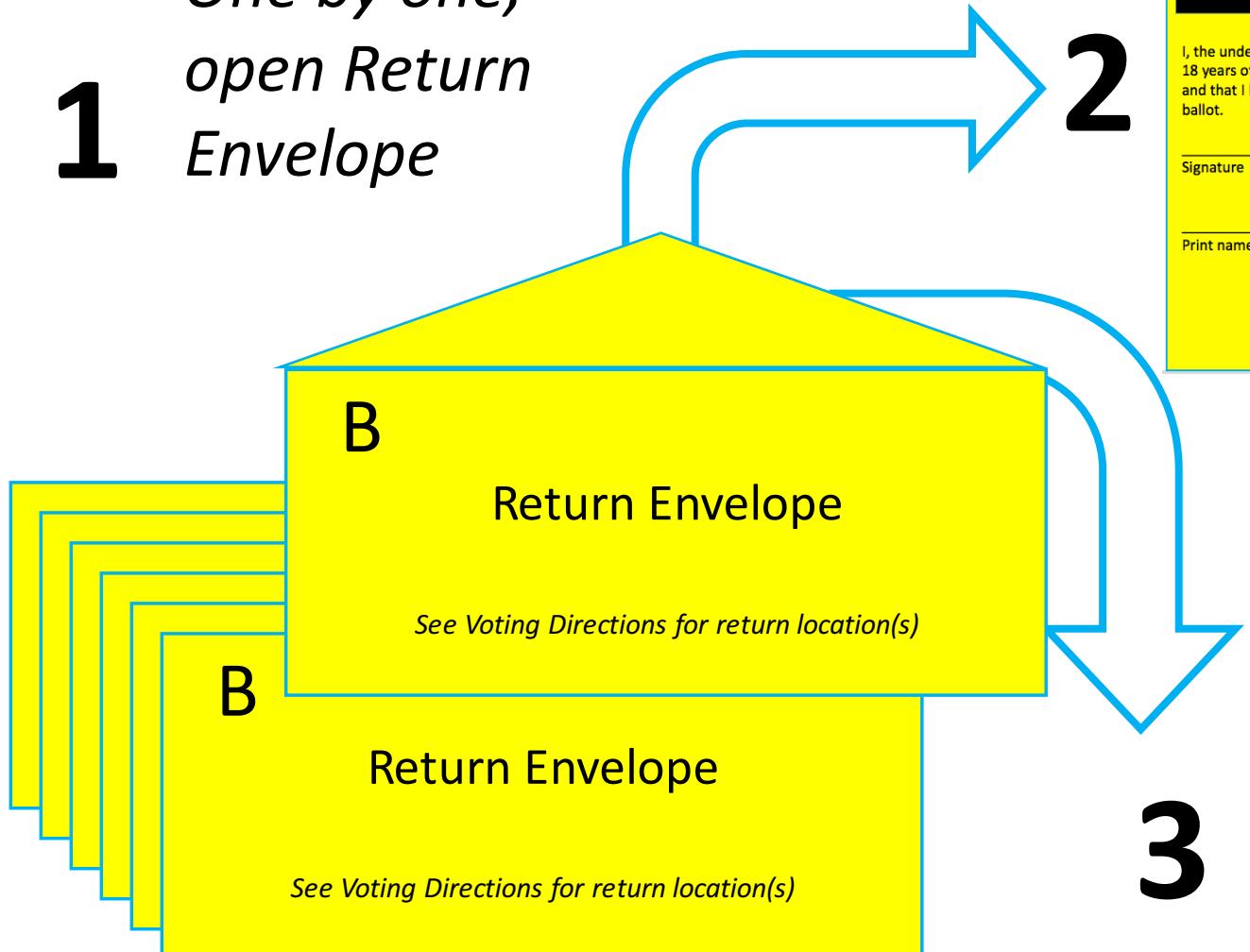
3. [IF AVAILABLE] Voters will also have the option to drop their completed Voter Kit into the dropbox [insert details], e.g. at the Town Offices, 24 hours a day up to 8:00 p.m. on Election Day].

- 3-4 pages
- *Devil in the details...*
- *Tailor to your circumstances*
- *DIY oriented*
- *Focus of Guide*

Routine preliminary processing of completed Voter Kits

*One by one,
open Return
Envelope*

1



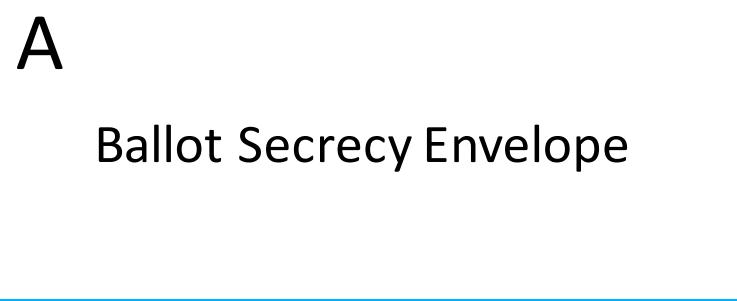
Declaration Form

I, the undersigned, declare that I am a Canadian Citizen, 18 years of age or older, eligible to vote in this election, and that I have not already voted for any office on this ballot.

Signature _____

Print name _____

Serial numbering here



*Once confirmed, unopened BSE
goes into sealed ballot box for
voter's poll division*

*Check Declaration info
against Voter List*

- Eligible?*
- If yes, strike off
Voters List*
- Poll Division?*

Part 3

Forms

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- *Voter Kit components*
- *Accessibility reviewed*
- *Other election forms*
- *MAPA MEF refs & harmonization*
- *Procurement help*

VBM Regulation Package for MAPA Submission

Part 1

TOWN OF [insert]
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Part 2

Appendix A

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Optional addition:
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Ballot Kit Return

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3. **[IF AVAILABLE]** Voters will also have the option to drop their completed Voter Kit into the dropdown **[insert details]**, e.g. at the Town Offices, 24 hours a day up to 8:00 p.m. on Election Day.

1

Regulations

Procedures

3A Appendices B & C (only)

Municipality of _____ Municipal Election

Ballot – Councillors

Vote for up to _____ candidates.

#	Candid
1	
2	
3	
4	
5	
6	
7	

Municipality of _____ Municipal Election

Ballot - Mayor

Vote for one candidate only.

#	Candidate	Mark an "X"
1		
2		
3		
4		
5		
6		
7		

Declaration Form

I, the undersigned, declare that I am a Canadian Citizen, 18 years of age or older, eligible to vote in this election, and that I have not already voted for any office on this ballot.

Signature _____

Print name _____

Serial numbering here

*Ballot(s) &
Voter Declaration Form*

Ballots (Appendix C)

- No more counterfoil with sequential numbering as per...

PART III ELECTION MATERIALS AND PROCEDURES

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Ballots

28. (1) Where an election has been declared, the returning officer shall immediately print a number of sequentially numbered ballots, not less than the number of voters in the municipality or wards in which elections are to be held.

(2) The ballots shall contain the names and civic addresses of the candidates as set out in the nomination paper, alphabetically arranged in the order of their surnames or, where there are 2 or more candidates with the same surname, in the order of their other names.

(3) The ballots shall be in the required form.

Municipality of _____ Municipal Election

Ballot – Councillors

Vote for up to _____ candidates.

#	Candidate
1	
2	
3	
4	
5	
6	
7	

Municipality of _____ Municipal Election

Ballot - Mayor

Vote for one candidate only.

#	Candidate	Mark an "X"
1		
2		
3		
4		
5		
6		
7		

Declaration Form (Appendix B)

- Separate Declaration sheet – to also serve as ***sequentially numbered element in ballot kit.***
- Will avoid bottlenecks as serial-numbering, a job usually involving an outside printing contractor, can be done well in advance.

Declaration Form

I, the undersigned, declare that I am a Canadian Citizen, 18 years of age or older, eligible to vote in this election, and that I have not already voted for any office on this ballot.

Signature

Print name

VBM Voter Kit Handling

Distribution

- **Automatically to everyone on the Voters List?**
- **On Demand?**
 - **Pick-up**
 - **Delivery?**

Remember that neither distribution mode will reach everybody. You will always have to plan for individuals who may be eligible to vote but are not on the Voters List.

A

Ballot Secrecy Envelope

Label envelopes to key to sequence of direction steps

Seal reminder on A (*verso*):
“Enclose completed ballot(s) only.”

B

Return Envelope

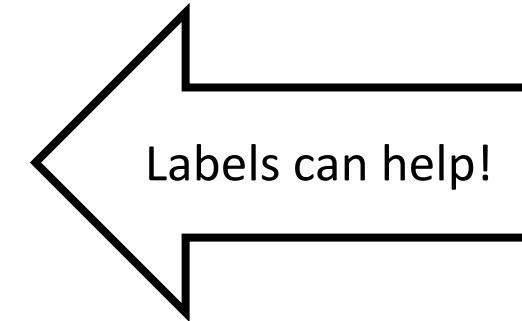
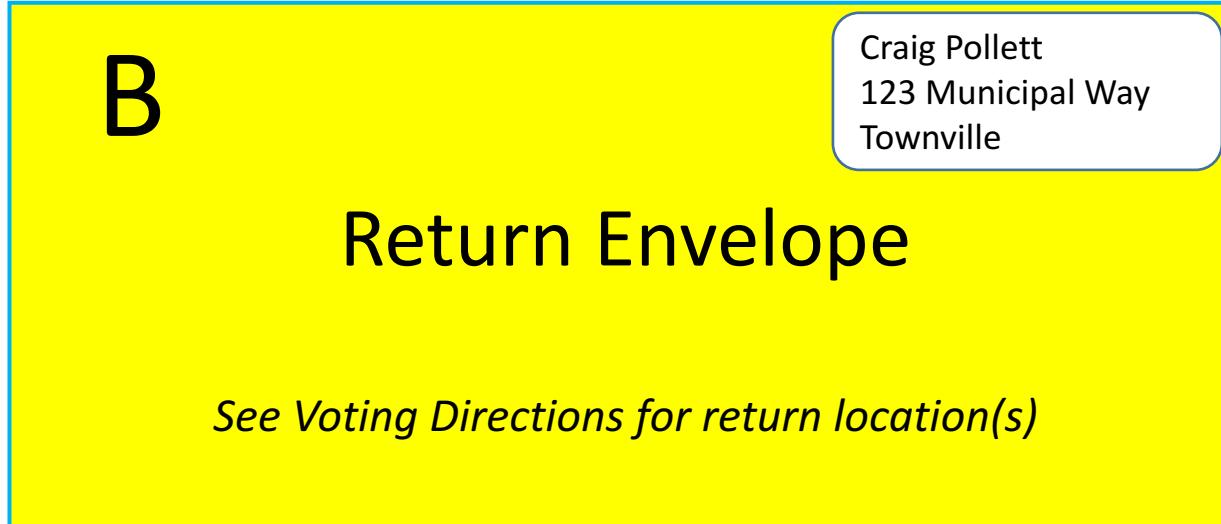
See Voting Directions for return location(s)

Seal reminder on B (*verso*):
“Have you enclosed your
 *Sealed Ballot Secrecy
Envelope?*
 Signed Declaration Form?”

Do-It-Yourself Distribution?

- Voter Kits are **controlled materials**. You should know how many you have, who they have been distributed to, and how many are left over ***at all times***.

Copies of Voter List information by street/area for use by election support workers undertaking drop-offs is an allowable use of the List



Labels can help!

VBM Voter Kit Handling

Return Scenarios

Full, double-envelope mode of return:

- **In-person drop-off prior to Election Day (e.g. at Town Offices, other staffed drop locations)**
- **Via designated dropbox(es) up to 8 p.m. Election Day**

Use just ballot(s) and Ballot Secrecy Envelope:

- **In-person voting on Election Day at poll station**

Read this first...

Voting Directions

Follow these steps to keep your vote secret and ensure your ballot is not spoiled. A spoiled ballot cannot be counted. You must:

1. Complete your ballot(s) and insert into the **white** Ballot Secrecy Envelope (A).

- **Seal Envelope A** -

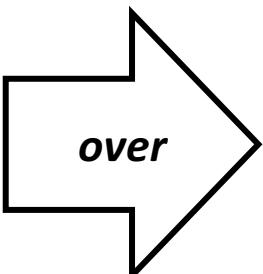
2. Sign and print your name on the **yellow** Declaration Form.

3. Insert your completed Declaration Form and sealed Ballot Secrecy Envelope into the **yellow** Return Envelope (B).

- **Seal Envelope B** -

Your ballot kit is now complete.

You may return it to the *[Town Offices during regular office hours and/or dropbox]* or to your designated poll location on Election Day.



Remember

It is against the law to use more than the ballot(s) provided or to vote under another's name. If found guilty, offenders may be subject to a fine and/or imprisonment as per Sections 99 and 100 of the *Municipal Elections Act*.

Questions

If you require assistance, please contact us.

Phone:

Email:

Where and When

You may return your completed ballot kit to the Town Offices during regular office hours *[and to the Town Dropbox]* until *[x]* p.m. on Monday, September 27th.

[insert Town Office street address]

Between 8 a.m. and 8 p.m. on **Election Day, Tuesday September 28th**, you may return your completed ballot kit to the polling station located at:

[insert poll location street address]

VBM Voter Kit Handling

Safety

What if your town or region goes into a state of lockdown during the election period?

- **Drop-off prior to Election Day (e.g. at Town Offices, other staffed drop locations) ????**
- **Via designated dropbox(es) up to 8 p.m. Election Day**
- **In-person voting on Election Day at poll station**



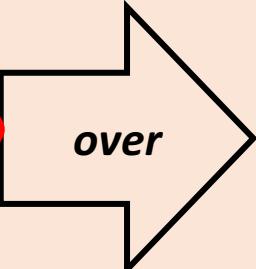
Read this first...

Voting Directions

Follow these steps to keep your vote secret and ensure your ballot is not spoiled. A spoiled ballot cannot be counted. You must:

1. Complete your ballot(s) and insert into the **white** Ballot Secrecy Envelope (A).
- **Seal Envelope A** -
2. Sign and print your name on the **yellow** Declaration Form.
3. Insert your completed Declaration Form and sealed Ballot Secrecy Envelope into the **yellow** Return Envelope (B).
- **Seal Envelope B** -

Your ballot kit is now complete. Due to our current Alert Level, in-person voting has been cancelled. You must return your kit to [the dropbox at the Town Offices] by 8 p.m. on Election Day.



Remember

It is against the law to use more than the ballot(s) provided or to vote under another's name. If found guilty, offenders may be subject to a fine and/or imprisonment as per Sections 99 and 100 of the *Municipal Elections Act*.

Questions

If you require assistance, please contact us.
Phone:
Email:

Where and When

Due to our current COVID Alert Level, in-person voting on Election Day has been cancelled. You are receiving this ballot kit so you can complete your vote and return your ballot kit in a safe, contact-free fashion.

You must now return your completed ballot kit to [the dropbox at the Town Offices] by 8 p.m. on **Election Day, Tuesday September 28th**:
[insert particulars/location street address]

VBM Voter Kit Handling

Flexibility

- From the time VBM Voter Kits are available through to the end of Election Day gives voters roughly a two week **voting period** to complete and return their completed ballot kits, with or without assistance.

This extra time makes it much easier to plan and support voters in need of accommodations

- In-person voting opportunities on Election Day at poll stations can also offer extra supports for persons who have trouble completing the Kit.

We have Access Advisors lined up to help you troubleshoot any access issues you may encounter.

Our Community Advisors

Huge thank-yous to...



**Coalition of Persons
with Disabilities**
Newfoundland and Labrador



OFFICE OF THE INFORMATION
AND PRIVACY COMMISSIONER
NEWFOUNDLAND AND LABRADOR



Stella's Circle
Hope Lives Here

Access And Your Election

-
- **Signage** indicating **accessible path of travel** at poll station?
 - Staff aware of **service animal use rights?**
 - Ways to support **low-sighted voters?**
 - Plans for **longterm care facility** residents?
 - **Translated** voting materials?



IN THIS SECTION

- › Vote By Mail Webinars
- › Election Supplies
- › Circulars
- › Municipal Elections Act

DASHBOARD

Email

Password

MUNICIPAL ELECTIONS



MNL and PMA are working together to provide support to municipalities so they may carry out safe municipal elections during COVID-19. [Read the release.](#)

RESOURCES

- › [COVID Safe Municipal Election Brief](#)
- › [Voting by Mail Steps-Timelines-Checklist](#)
- › [Template VBM request letter](#)

We are working on additional supports and will continue to update this website as well as inform members through emails including MNL's weekly infoNOTE.



What if...?

How come...?

What's that
supposed to
mean?

Questions?

Sooooooo...

